

Executive Calendar No. 18, and that the cloture vote on the nomination occur at 1:45 p.m.

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

MORNING BUSINESS

REMEMBERING THE SOLDIERS OF 2ND BATTALION, 131ST FIELD ARTILLERY REGIMENT

Mr. CORNYN. Mr. President, this week, we remember the brave men of Texas who gave so much to preserve freedom in the Pacific and survived the greatest horrors of World War II. Soldiers of 2nd Battalion, 131st Field Artillery Regiment from Camp Bowie, TX, a Texas National Guard unit, were fighting alongside Australian forces on Java, an island in Indonesia, against invading Japanese forces. On March 8, 1942 the Americans and their Australian allies were captured by the Japanese. A report was never filed by the Japanese to identify the captured unit. As a result, the Texas soldiers had disappeared and were dubbed "the Lost Battalion."

They were combined with survivors of the USS *Houston*, CA-30, which had been sunk in the Battle of Sunda Strait on March 1, 1942, and dispersed to POW labor camps located in Burma, Thailand, and Japan to work as slave laborers. They worked on the Burma-Siam Death Railway, building a railroad through the jungle and into the coal mines, docks, and shipyards in Japan and other Southeast Asian countries. For 42 months, the men of 2nd Battalion, 131st Field Artillery and the USS *Houston* suffered together through humiliation, degradation, physical and mental torture, starvation, and horrible tropical diseases, with no medication.

Five hundred and thirty-two soldiers of the battalion, along with 371 survivors of the USS *Houston* were taken prisoner. As many as 163 soldiers died in captivity, and of those, 133 are estimated to have died working on the railroad.

In August of 1945, after 42 months of captivity and forced labor, the survivors of 2nd Battalion, 131st Field Artillery Regiment and the survivors of the USS *Houston* were returned to the United States. March 8, 2017, marks the 75th year since their capture on the island of Java, and these soldiers deserve to be remembered for their heroic service and sacrifices in the Pacific theater of battle.

TRIBUTE TO DR. ROBERT BACKUS

Mr. LEAHY. Mr. President, today I am honored to recognize a Vermont treasure, Dr. Robert Backus of Grace Cottage Hospital, who is retiring after nearly four decades of dedicated service to the rural community of Townshend, VT.

Dr. Backus, or "Dr. B" as his patients often call him, is a natural heal-

er. He discovered his passion for medical sciences as a young hunter. After serving with the Peace Corps in Brazil, he traveled to Australia to complete a medical internship and his residency. Years later, while on a trek across country from California, Dr. Backus found himself meandering along the winding roads of Vermont's Route 30, and he discovered the place he continues to call home today. The people of Townshend are glad he never left.

After settling in Vermont, Dr. Backus went on to complete his premedical studies at the University of Massachusetts and, later, Dartmouth College. He then received his doctorate in medicine from the University of Vermont in Burlington. Soon after, Dr. Backus took a job working as deputy to Dr. Carlos Otis, the revered founder of Vermont's Grace Cottage Hospital, one of the State's leading rural providers.

Dr. Backus is perhaps most well-known for always being there for his patients, even if they are admitted to a different hospital. He is also known for his strong commitment to the community. For example, each year, Dr. Backus dedicates his time to collecting items for the Grace Cottage Fair, an event that supports the work and patients of the hospital. He also enjoys singing in the West River Valley Chorus with his wife, Carol.

Dr. Backus remains committed to staying active in his community after retirement, and as a grandfather to six, he is also looking forward to spending more time with his family.

I am proud to honor Dr. Backus's commitment to our State, and to the health and well-being of Vermonters. I know we will continue to see great things from him, and I wish him the very best as he enters a well-deserved retirement.

CRA DISAPPROVAL OF BLM PLANNING 2.0 RULE

Mr. UDALL. Mr. President, yesterday, the Senate approved H.J. Res. 44, a joint resolution of disapproval under the Congressional Review Act, CRA, that overturned the Bureau of Land Management's resource management planning rule, commonly referred to as the planning 2.0 rule. I oppose this misguided revocation of a rule that would have allowed greater public involvement in the land-use planning process, increased government transparency, and improved the efficiency in making sustainable multiple use decisions for our public lands.

The BLM is responsible for administering 245 million acres, or over 10 percent of the total area of the United States, and 700 million acres, or 30 percent, of the Nation's mineral estate. The majority of BLM lands are in the 11 western States and Alaska.

Across the West, the economy has changed significantly in recent decades. From 1990 to 2010, the population in the West grew by 36 percent, and the

economy of the West has grown faster than any other region in the country. As new people and new businesses have moved West, demands on public lands for outdoor recreation, hunting, fishing, tourism, conservation, and renewable energy development have been increasing. These demands have the potential to lead to conflicts with uses such as grazing, timber, mining, and oil and gas extraction.

The planning 2.0 rule represented a new approach to addressing increasingly complex challenges on public lands and balancing what are competing uses and, quite frankly, at times competing values for the use of our public lands. Planning 2.0 was the first update of the BLM's planning regulations in 34 years. It included tools to help local land managers respond to these new challenges and the changing needs of western communities.

Under the BLM's 1983 planning regulations, the BLM's planning process has been far too slow. State, local, and tribal governments and the public have been frustrated with the BLM's inability to complete resource management plans that support key infrastructure projects like pipelines, utility corridors, oil and gas leasing areas, and other management designations. It takes an average of 8 years to complete a resource management plan, and the public is provided few opportunities for input. By the time a plan is completed, it is almost already out of date. Since public involvement doesn't occur until nearly the end of the planning process, new information provided near the end can require revision and cause further delay. Litigation also can stall the process and add significantly more time and costs.

Nullifying planning 2.0 through CRA disapproval permanently forces the BLM to use a planning process that wastes taxpayer money and is inefficient at best.

Planning 2.0 provided earlier and more frequent opportunities for public involvement as part of the new planning assessment step. By inviting State, local, and tribal governments and the public to share information and participate in developing alternatives before the draft resource management plan could be published, planning 2.0 made it possible to discover the issues and potential conflicts and work out solutions before huge investments of time and labor were expended. Early involvement and collaboration with the public and all stakeholders made the planning process more efficient and effective.

Under planning 2.0, the formal planning process remained largely unchanged: a draft environmental impact statement and a draft plan were still required, but with an expanded public comment period, from 90 days to 100 days. Draft plan amendments are often less complex, and so the minimum comment period was reduced from 90 days to 60 days. The rule provided opportunities to extend any comment period as necessary.

Planning 2.0 preserved and enhanced partnerships with State, local, and tribal governments in the planning process. The rule maintained the coordination and consistency requirements, and it recognized the special roles of State, local, and tribal governments, affording opportunities to participate side-by-side with the BLM as cooperating agencies. The final planning 2.0 rule took meaningful steps to accommodate requests from States and local governments to improve the planning process and to ensure governors were able to raise concerns and fully engage in the planning process, as required by the Federal Lands Policy and Management Act.

As vice chair of the Senate Committee on Indian Affairs, I closely review Federal actions that affect native people and Indian Country. Under planning 2.0, the right of federally recognized tribes to government-to-government consultation was clearly enumerated and protected. The BLM worked extensively to make sure the new planning process was more inclusive. Planning 2.0 recognized the value of the knowledge, history, and culture that tribes bring to the planning effort. By formalizing the tribal consultation role and providing early and more frequent opportunities for tribes to provide input, the BLM had taken an important step to ensure Indian Country was able to be fully engaged in the process. Repealing planning 2.0 through the CRA now risks ignoring the concerns of tribes in favor of commercial interests and their lobbyists in Washington, DC.

Pressures on BLM lands have increased in scale and complexity, and planning 2.0 encouraged the collection and use of high-quality data. It encouraged flexibility to identify a planning area boundary that reflects the resource issues. By looking at larger landscapes, local offices could have collaborated where there are shared resource issues and could have reduced conflicts and litigation for large-scale projects. Planning 2.0 would have enabled the BLM to set clear goals and allowed local offices to work together on landscape-wide planning where resource issues span multiple administrative jurisdictions.

The rule identified important corridors for wildlife and critical habitats early in the planning process so that those important areas could be managed and conserved in balance with other uses and development decisions. Working across boundaries is especially important to tackle wildfire prevention and eradication of invasive species, which are degrading our public lands and placing neighboring private lands at risk of harm. Efficient and collaborative planning is desperately needed to approve infrastructure projects, pipelines, and energy transmission corridors that are stalled under the current planning process. Eliminating planning 2.0 reinstates a cumbersome and inefficient planning process that increases burdens on industries and the public.

Opponents of the planning 2.0 rule mischaracterized the rule as a last minute “midnight rule” that excluded public comment. This is simply not true. The planning 2.0 initiative went through a transparent rulemaking process over 2 and a half years. The BLM responded to over 3,000 public comments on the draft rule and made critical changes in the final rule. Congress held two hearings on planning 2.0, and the BLM incorporated that information before publishing the final rule. The BLM conducted extensive public outreach through public meetings, webinars, an extended public comment period, and input from a broad spectrum of the public that resulted in significant revisions to the final rule.

However, the CRA resolution disapproving planning 2.0 was accomplished without public hearings and without transparency. Management of our public lands will now revert back to a process that gives commercial interest greater power and the public less opportunity for meaningful involvement.

Opponents of planning 2.0 expressed concern that emphasizing landscape-scale planning could result in the primacy of national objectives over State and local objectives. This is not true. Planning 2.0 did not centralize decisionmaking in Washington, DC, or dilute local control of the planning process. The rule actually allowed for more local community involvement and preserved the priority status for local governments and states in land use planning. Increasing the opportunity for public voices helped develop plans that met the increasingly diverse needs of western communities. Further, the rule did not require all resource management plans to be multistate landscapes. The rule provided the process for planning at larger landscape-scales when it made sense given the resources involved.

The use of the Congressional Review Act to revoke planning 2.0 is a reckless tactic. Specific concerns could and should have been addressed through the regular rulemaking process or targeted legislation by Congress instead. Under the CRA, once Congress passes a resolution of disapproval, the BLM is prohibited from writing a new rule that is “substantially the same” without additional legislative action. As a result, many of the provisions of planning 2.0 that improved the planning process cannot be enacted or proposed again without express congressional approval.

Secretary Zinke has now been confirmed and should have been given the opportunity to consider revising planning 2.0 and making any necessary changes. With passage of H.J. Res. 44, Secretary Zinke will face considerable legal uncertainty, and his authority to reformulate a new planning rule will be limited substantially. This resolution should have been rejected and the new administration given the opportunity to reformulate planning 2.0 and to

make sure the public continued to have a voice in decisions that affect their way of life.

KINGSPORT CENTENNIAL

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the Tennessee General Assembly's proclamation recognizing the city of Kingsport, TN, centennial celebration.

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

KINGSPORT CENTENNIAL

Whereas, it is fitting that the members of this legislative body should pause in their deliberations to recognize and honor those venerable communities of this State that are marking special occasions in their histories; and

Whereas, the new city of Kingsport was incorporated in 1917, using the historical name of a nearby town that was previously incorporated in 1822 but lost its charter after the Civil War; and

Whereas, Kingsport is the first thoroughly diversified, professionally planned, and privately financed city in twentieth-century America; and

Whereas, Kingsport was the first city in Tennessee, and one of the first in the nation, to adopt the “model city charter” establishing a city manager form of government; and

Whereas, Kingsport was produced by the marriage of New South philosophy and Progressivism, born at a time when capitalists turned their attention to Southern Appalachia; and

Whereas, the seeds planted in 1917 grew to become the corporate headquarters of Eastman, a Fortune 300 company with a significant global presence that has provided economic opportunity for generations of Tennesseans; and

Whereas, early founders coined the term “Kingsport Spirit” to describe the work ethic, can-do attitude, and caring culture that are still widely prevalent today; and

Whereas, Kingsport continues to be a leader in innovation and collaboration to redefine the economic future of Tennessee and Tennesseans; and

Whereas, on this milestone occasion, it is fitting that we recognize and honor the city of Kingsport and its residents: Now, therefore,

I, Randy McNally, Speaker of the Senate of the One Hundred Tenth General Assembly of the State of Tennessee, at the request of and in conjunction with Senator Jon Lundberg, do hereby proclaim that we honor and commend the fine citizens of Kingsport as they celebrate their city's centennial and extend to them our best wishes for continued success and prosperity in the future. Proclaimed in Nashville, Tennessee, on this the 13th day of February 2017.

TRIBUTE TO JOHN MEDINGER

Ms. BALDWIN. Mr. President, today I wish to honor John Medinger on his retirement from Federal and public service. John has dedicated his career to improving the lives of individuals in the La Crosse community and across the State of Wisconsin, most recently as my southwestern Wisconsin regional representative. I am so pleased to celebrate John's legacy of dedicated public service and positive social change.