

According to the U.S. Department of Education, approximately 1.2 million children were homeless during the 2014 to 2015 school year; this is a 34-percent increase from the 939,903 homeless students in the 2009 to 2010 school year.

In California, over 229,000 children experienced homelessness in 2015, nearly four times the 65,000 homeless children in the State in 2003.

Unfortunately, the numbers reported by the HUD Point-in-Time count fail to reflect these increasing numbers.

According to the national 2015 HUD Point-in-Time count, there were only 206,286 people counted as homeless in households that included children, a fraction of the true number.

This is important because only those children counted by HUD are eligible for vital homeless assistance programs and included in local planning efforts. The rest of these children and families are simply out of luck.

The Homeless Children and Youth Act of 2017 would allow HUD homeless assistance programs to serve extremely vulnerable children and families, specifically those staying in motels or in doubled-up situations because they have nowhere else to go.

These families are especially susceptible to abuse and trafficking because they are often not served by a case manager and thus remain hidden from potential social service providers.

As a result of the current narrow HUD definition, communities that receive Federal funding through the competitive application process are unable to prioritize or direct resources to help these children and families.

This bill would provide communities with the flexibility to use Federal funds to meet local priorities. The bill requires the Secretary to assess the extent to which Continuums of Care use separate, specific, age-appropriate criteria for determining the safety and needs of children and unaccompanied youth and divert people to safe, stable, age-appropriate accommodations.

And I would note that the bill does not impose any new mandates on service providers.

Finally, this legislation improves data collection transparency by requiring HUD to report the point in time PIT count and the Annual Homeless Assessment Report, AHAR to include data on all categories of homelessness.

Mr. President, I am pleased that Senator Rob Portman has joined me as an original cosponsor on this bill. Homelessness continues to plague our Nation. If we fail to address the needs of these children and families today, they will remain stuck in a cycle of poverty and chronic homelessness.

It is our moral obligation to ensure that we do not erect more barriers for these children and families to access services when they are experiencing extreme hardship. I believe this bill is a commonsense solution that will ensure that homeless families and children can receive the help they need.

By Mr. LEE (for himself and Mr. HATCH):

S.J. Res. 38. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "Approval, Disapproval and Promulgation of Air Quality Implementation Plans; Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan; Utah; Revisions to Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze"; to the Committee on Environment and Public Works.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic leader, pursuant to Public Law 105-83, the reappointment of the following individual to serve as a member of the National Council on the Arts: the Honorable TAMMY BALDWIN of Wisconsin.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 96-388, as amended by Public Law 97-84, and Public Law 106-292, reappoints the following Senators to the United States Holocaust Memorial Council: the Honorable BERNARD SANDERS of Vermont and the Honorable AL FRANKEN of Minnesota.

The Chair, pursuant to Executive order 12131, as amended and extended, appoints the following Senators to the President's Export Council: the Honorable AMY KLOBUCHAR of Minnesota and the Honorable KIRSTEN E. GILLIBRAND of New York.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 85-874, as amended, reappoints the following Senator to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: the Honorable MARK WARNER of Virginia.

The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 115th Congress: the Honorable BENJAMIN L. CARDIN of Maryland, the Honorable SHELDON WHITEHOUSE of Rhode Island, the Honorable TOM UDALL of New Mexico, and the Honorable JEANNE SHAHEEN of New Hampshire.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 106-286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: the Honorable DIANNE FEINSTEIN of California, the Honorable JEFF MERKLEY of Oregon, and the Honorable GARY C. PETERS of Michigan.

#### ORDERS FOR TUESDAY, MARCH 14, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 2 p.m., Tuesday, March 14; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of H.J. Res. 42.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—Continued

##### ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator CRUZ.

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

The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today to commend the Senate for taking up legislation that I have introduced, along with my colleague in the House, Chairman KEVIN BRADY, to reverse yet another instance of Executive overreach by the Obama administration.

H.J. Res. 42 passed the House 236 to 189, with support on both sides of the aisle, including nearly unanimous Republican support, and I urge my colleagues in this Chamber to swiftly approve this legislation and to send it to the President's desk for his signature.

In the bipartisan Middle Class Tax Relief and Job Creation Act of 2012, Congress permitted but did not require States to assess State unemployment compensation or insurance program applicants for drug usage under two circumstances: workers who had been discharged from their last job because of unlawful drug use and workers looking for jobs in occupations where applicants and employees are subject to drug testing.

The unemployment insurance program is designed to facilitate swift reemployment by requiring applicants to be able to work and actively seek employment in order to be eligible. The 2012 job creation act noted that if a worker lost a job due to drug usage, that worker would have established him- or herself as not being fully able or available to work.

Further, under appropriate State-level programs, States could choose to restrict benefits for individuals who fail drug tests as well as to design programs to help them overcome their drug use and become work-ready. A number of States have responded to this opportunity. We are not helping anyone by leaving them in the position where they are dependent on and addicted to drugs.

In Texas, for example, the Texas Legislature passed senate bill 21, which not

only sought to secure the quality of job applicants, but it also provided help to those who needed it but would not have sought out that help otherwise themselves.

The wording of the 2012 job creation act clearly shows that Congress specifically intended to provide States the ability to determine how to best implement these programs for their citizens. However, the Obama Department of Labor substantially narrowed the law to circumstances where testing is legally required, not merely allowed. Such an arbitrarily narrow definition undermines the ability of States to conduct drug testing in their programs, as permitted by Congress. This regulation is overly prescriptive. It removes State discretion regarding implementation, and it ignores years of congress-

sional concern on both sides of the aisle.

I thank Chairman BRADY for taking the lead in the House on dealing with this overreach and for his leadership on H.J. Res. 42 to repeal this regulation.

This joint resolution has broad support, including from President Trump, Texas's Governor Abbott, Mississippi's Governor Bryant, Utah's Governor Herbert, and Wisconsin's Governor Walker. All are united in restoring the flexibility of the States to deal with the problem of drug use and drug addiction and to tailor their unemployment programs to meeting that problem.

This is yet another step in overturning the Obama administration's Executive overreach that has done so much damage. I encourage my colleagues on both sides of the aisle to

support this measure and to return discretion to the States and to the people. I yield the floor.

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ADJOURNMENT UNTIL 2 P.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2 p.m. tomorrow.

Thereupon, the Senate, at 6:16 p.m., adjourned until Tuesday, March 14, 2017, at 2 p.m.

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CONFIRMATION

Executive nomination confirmed by the Senate March 13, 2017:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEEMA VERMA, OF INDIANA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES.