

USDA specifically argues that the procedural rule exception applies because the 2016 Tongass Amendment does not substantially affect the rights or obligations of non-agency parties. At issue in *Ohio Forestry Ass'n* was a Sierra Club challenge to a Land Resource Management Plan for Ohio's Wayne National Forest on the ground that the plan permitted too much logging and clearcutting. The question decided was whether the rights asserted by the Sierra Club in challenging the plan were ripe for judicial review. The Court explained that the purpose of the ripeness doctrine is:

"to prevent the courts, through avoidance of premature adjudication, from entangling themselves in abstract disagreements over administrative policies, and also to protect the agencies from judicial interference until an administrative decision has been formalized and its effects felt in a concrete way by the challenging parties."

The court held that the rights asserted by the Sierra Club were not yet ripe for review, and that there would be later stages in the forest management process when plaintiffs could assert those rights to challenge the Forest Service's decisions.

The issue we decide here, however, is not whether rights asserted by a party to challenge the Amendment are ripe for judicial review. The question here is whether the 2016 Tongass Amendment has a substantial impact on the regulated community such that it is a substantive rather than a procedural rule for purposes of CRA. We have concluded that it has such an impact and thus is a substantive rule. The Supreme Court's decision is inappropriate for CRA purposes, since it is Congress' exercise of the review procedures in CRA that is in issue, not the ripeness of a party's right to bring suit challenging administrative action.

CONCLUSION

The 2016 Tongass Amendment is a rule for CRA purposes as it meets the definition of the term "rule" under APA, and none of the CRA exceptions apply.

If you have any questions about this opinion, please contact Robert Cramer, Associate General Counsel, at (202) 512-7227.

Sincerely yours,

SUSAN A. POLING,
General Counsel.

HONORING OUR ARMED FORCES

GUNNERS MATE THIRD CLASS JOSEPH GUIO, JR.

Mr. MANCHIN. Mr. President, today I wish to honor Joseph Guio, Jr., a hero who made the ultimate sacrifice saving the lives of his fellow crewmembers aboard the *USS Monaghan* during World War II.

Gunners Mate Third Class Guio was one of the hundreds of men who were lost at sea during Typhoon Cobra, which struck Task Force-38 in December of 1944. Task Force-38 consisted of 7 fleet carriers, 6 escort carriers, 8 battleships, 15 cruisers, and 50 destroyers that had been operating in the Philippine Sea conducting air raids against Japanese airfields.

Survivors of the event reported that Joe freed a raft from the sinking ship and was injured in the process. Regardless, he continued to pull his fellow men to the safety of the raft and saved many lives. Aboard the raft, his grateful comrades tried to comfort Joe in his last moments, and he thanked them for doing so before he passed on.

When the *Monaghan* sank, 256 crewmembers were lost. Twenty held on to the raft for some time, but after days at sea, exhausted, injured, and struggling against 50-foot waves, that number dwindled to six. The *USS Brown* rescued the six survivors 3 days later.

Joe's body was never recovered, but his name is inscribed on the Tablets of the Missing at the American Cemetery and Memorial in Manila, Philippines. He was 25 years old.

Born in Hollidays Cove in beautiful Hancock County, WV, no one would have expected less from Joe. He died as he lived, helping others with the utmost respect for our home State and our Nation.

West Virginia is great because our people are great—Mountaineers who will always be free. In fact, when visitors come to West Virginia, I jump at the chance to tell them about our wonderful State. We have more veterans per capita than most any State in the Nation. We have fought in more wars, shed more blood, and lost more lives for the cause of freedom than most any State. We have always done the heavy lifting and never complained. We have mined the coal and forged the steel that built the guns, ships, and factories that have protected and continue to protect our country. I am so deeply proud of what our citizens have accomplished and what they will continue to accomplish in the days and years ahead. It is with utmost gratitude that I recognize Joseph Guio, Jr., and all the servicemembers of today and yesterday.

Additionally, I am honored to recognize Joe's family who have kept his legacy alive—his nephew, Gary Guio, his great-nephews, Mark and David, and the entire family, the Northern Panhandle community, and the surviving crewmembers who have never forgotten Joe's legacy of service and heroism.

NATIONAL FOREST PRODUCTS WEEK

Ms. STABENOW. Mr. President, in recognition of National Forest Products Week, I would like to commend the more than 27,000 men and women who work in the forest products sector in my home State of Michigan.

Taken together, Michigan is home to nearly 200 forest products facilities that run the gamut, from furniture manufacturing to paper mills. With yearly salaries of over \$1.4 billion, these facilities represent one of our State's most significant manufacturing sectors.

Paper and forest products play a vital role in our domestic economy and benefit every American as they go about their daily lives. Additionally, wood construction is an innovative form of climate protection because wood oftentimes replaces competing building materials that require sizeable amounts of fossil fuels to produce. Moreover, wood lowers a building's car-

bon footprint because it continues to hold carbon absorbed during the growth of the tree, keeping that pollution out of the atmosphere for the life expectancy of the building. As we look to reduce carbon emissions and green our building stock, we ought to look at greater use of innovative wood products in commercial structures.

Similarly, paper and packaging products help all Americans to communicate with each other, teach our kids, and learn new things ourselves. These products preserve and deliver our food, medicine, and other manufactured goods. Whether it is a marriage certificate or a young child's finger painting, these paper products capture some of the most important moments in a person's life. For these reasons and others, I am proud to be a cochair of the Senate's Paper and Packaging Caucus.

I urge all of my Senate colleagues to join me in celebrating National Forest Products Week and to consider the variety of ways this sustainable resource benefits us in our lives. Thank you for the opportunity to recognize the forest products industry's dedicated professionals who work and reside in the great State of Michigan.

REMEMBERING FLOYD MCKINLEY SAYRE, JR.

Mrs. CAPITO. Mr. President, I wish to recognize a friend and colleague, Floyd McKinley Sayre, Jr., who recently departed this life. I came to know Floyd many years ago and interacted with him while serving in the West Virginia House of Delegates, U.S. House of Representatives, and the U.S. Senate. Recent testimonies to his life state that he was "a good man by all accounts and lived his life in a pursuit of endeavors he felt were right, good and virtuous." Throughout my friendship with Floyd, I found this to be true.

Floyd was born in Beckley, WV, on July 17, 1930. He graduated from Woodrow Wilson High School before going on to West Virginia University, where he was an active member in the Sigma Nu fraternity. After college, he had a successful military career where he served in the Berlin Brigade in Germany, guarding West Berlin during the Cold War. Upon his return, Floyd started a professional career with the U.S. Chamber of Commerce that eventually brought him home to West Virginia.

Floyd owned and managed Floyd Sayre's Management Consultants and was the first certified professional executive in West Virginia. He worked hard to bring a certification program to the State and mentored many future executives. As a student of West Virginia politics, he understood how to navigate the halls of the State legislature, where he is remembered as a gentleman and forceful advocate for a better West Virginia.

In 1960, Floyd married his wife, Ruth Ellen Thomas, who was his staunch supporter and companion for his entire

career, and together they had three sons, Floyd, Richard, and David. Floyd loved spending time with his family and friends, gardening, bird watching, and rooting for his beloved West Virginia Mountaineers. Floyd was a Rotarian, as well as a Paul Harris Fellow and past president of the Southern Pines, NC, Rotary Club. Floyd was also a member of the church I attend, another community in which he will be sorely missed.

I am honored to have known Floyd and his wife, Ruth, and my thoughts and prayers are with his family. West Virginia owes him a debt of gratitude for his service to the State. I am proud to have called him a friend and fellow Mountaineer.

REMEMBERING JEREMY SHULL

Mr. INHOFE. Mr. President, today I would like to honor and pay tribute to my former staffer Jeremy Shull. Jeremy came to my office in 2004 as a fellow. He quickly advanced and became the deputy military legislative assistant in a short period of time. Jeremy was full of life, always had a big smile on his face, and brought a lot of joy into my office. I would like to share a bit about Jeremy's life and family and then about his time in my office.

At the age of only 35, Jeremy fell into the arms of Jesus, doing what he loved: climbing Capitol Peak in Aspen, CO, on August 6. He was the loving husband of 7 years to Jamie and the proud father of 2-month-old, Jack. Jeremy was born in Cincinnati, OH, on March 9, 1982, to his parents, Bob and Linda Shull, and was raised alongside his two brothers, Ben and Josh. From an early age, Jeremy's love of the outdoors and his leadership skills were apparent to all. He went on to graduate from Perrysburg High School, in Ohio, and Grove City College, in Pennsylvania, where he discovered his love of rugby and international travel.

After college, he made his way to Washington, DC, where he was involved in the Falls Church Fellows Program and worked on Capitol Hill in my office. During this time he met the love of his life, Jamie, at Summer's Best Two Weeks, a Christian sports camp in Boswell, PA, and the two were married in 2010. As a couple, Jeremy and Jamie lived and worked in Washington, DC, Uganda, and went to graduate school at Geneva College in Pennsylvania. In 2014, Jeremy earned his master's degree in counseling and eventually went on to earn his LAC and LPC licenses with concentrations in trauma and addictions.

Shortly after earning their degrees, Jeremy and Jamie moved out west to Parker, CO, to pursue their adventurous dreams. Jeremy worked at a crisis stabilization unit and in other settings where he counseled clients in their worst moments, helping them to create vision and hope for their futures. To quote Jeremy, he served others, "to sustain the weary and help cli-

ents overcome internal walls between them and a thriving life." This past May, they welcomed their beautiful son, Jack Ellis, into their family.

Jeremy is remembered by his wife, Jamie, and their 2-month-old son, Jack. He is survived by Bob and Linda Shull of Fairlawn, OH, brother Ben and his wife Emily Shull, and nieces Piper and Scout Shull of Cincinnati, OH, brother Josh Shull of Washington, DC, grandparents Norma Hissong of Bath, OH, Ken and Meg Shull of Seneca, South Carolina, numerous aunts, uncles, and cousins in Ohio and South Carolina, mother and father-in-law Mike and Teri Maurer and brother-in-law Justin Maurer of Washington, DC.

In 2007, Jeremy traveled with me on a CODEL to Ireland, Ethiopia, Djibouti, Kenya, Tanzania, Uganda, France, and Italy. The CODEL was en route to Africa when we had a required crew stop. The stop happened to be only about 45 miles away from where my daughter Molly was teaching and staying with her family. We only had about 24 hours on the ground, and it was meant for a time for us to adjust from jet lag, but Jeremy and I, along with my son-in-law and grandson, drove to the base of Mt. Grappa, which is close to sea level. Four hours later, we reached the top, which was 5,800 feet in elevation. We walked to the World War I monuments at the top of Mt. Grappa and hiked back down.

Later in the trip, when we had a break from our meetings, the delegation divided up and some of my staff decided to do a little sightseeing in Venice but Jeremy chose to stay back and play soccer with my daughter's kids. In doing so, he gave the rest of the delegation a real gift. Jeremy had been to Venice a few years before and had hidden a €100 note behind a brick in a wall hanging over one of the many canals. He gave us a list of clues as we went to Venice. Instead of sightseeing, we spent the time following the clues Jeremy gave to us and finally discovered the location. When our military escort pulled the brick out of the canal wall, he found the €100 note laying behind it. We took a photo of the note and then placed it back in the wall. We were careful to make sure that nobody saw us replace it. It was a very clever set of clues, and it became the most memorable times to visit Venice.

Afterwards, we asked Jeremy why he hid this money in Venice and also in a couple other European cities. He said that one day he wanted to bring his future wife to Europe and take her on a treasure hunt. That was Jeremy. He was overflowing with adventure and very intentional in how he lived out his life of adventure.

Jeremy had a strong faith in Jesus Christ and lived his life to the full. Jeremy was best known for his adventurous spirit, curious nature, intentional relationships, and servant-heart. He was a volunteer firefighter and was devoted to his growing family. He put others first, and in a culture and gen-

eration that is more me focused, Jeremy was the opposite, always putting others before himself. I loved Jeremy—his steadfastness, his love for Jesus, and his desire to enjoy the outdoors that God created. He will be missed by everyone who was close to him and who he touched. He will also be missed by me and my office.

ADDITIONAL STATEMENTS

TRIBUTE TO GLORIA TANNER

- Mr. BENNET. Mr. President, I wish to honor the remarkable life of Senator Gloria Tanner.

Throughout her career, Senator Tanner has excelled in the face of adversity and carried out her work with integrity, strength, grace, and humility. All of these qualities are rooted in a unique authenticity that she possesses, something that is seemingly lacking in today's politics.

Born in Atlanta, GA, in 1934, Senator Tanner witnessed the growth of the civil rights movement firsthand. She rose to become the first African-American woman to serve as a Colorado State senator and the second African American to be elected to a leadership position in the Colorado House of Representatives, where she served for five terms and as the chair of the minority caucus.

In 1974, Senator Tanner received a B.A. in political science and graduated magna cum laude from Metro State University of Denver. She subsequently received a master of arts in urban affairs at the University of Colorado in 1976 and graduated from the American Management Association Program for Women in Top Managerial Positions. She also graduated from the Women in Leadership Program at the John F. Kennedy School of Government at Harvard University and the Leadership College, Executive Education, Keenan-Flagler Business School at University of North Carolina, Chapel Hill.

Senator Tanner became active in politics when she moved to Colorado in 1960 in unison with John F. Kennedy's election. She has served many roles in government, ranging from an administrative assistant to the Office of Hearings and Appeals at the U.S. Department of Interior, the executive assistant to Colorado Lieutenant Governor George L. Brown, to an elected member of the Colorado House of Representatives. In the Colorado House, she has served as chair of the minority caucus. She was also elected president of the National Organization of Black Elected Legislative-Women and served as an executive board member and chairperson of the finance committee of the National Black Caucus of State Legislators. She has also served on the Colorado Black Round Table, as a member of the Women's Forum of Colorado, and finally, as a Colorado State senator.

Senator Tanner succeeded Regis Groff in 1994 and held a seat until 2000.