

Education who wants all kids to have a good education.

I have so many letters here. I have one from Adam Brickett, from McClure Middle School in Seattle. He says:

Thank you for your years of service representing our state. I have never contacted an elected official before—

By the way, many of my letters start with that.

I have never contacted an elected official before but with the changes happening in our country I feel the need to now. I'm writing specifically to you today about the nominee for Secretary of Education, Betsy DeVos.

As a middle school teacher for Seattle Public Schools I work hard every day to ensure that my students get the best education possible to be successful in their future careers and lives. I am concerned that Ms. DeVos does not have the experience necessary nor the best intentions for our nation's students and schools to be our Secretary of Education. I believe she would put profits and money ahead of students, schools and teachers. I felt this way before her nomination hearing and feel even more strongly after her hearing. I am worried about the damage she could do to an already fragile public education system. I know I am not alone as virtually all the colleagues I have spoken with have expressed similar dismay with her nomination.

Her record of attacking public schools and funneling money to charter and parochial schools with little to no oversight is troubling. Her lack of experience whatsoever with public education is also very disturbing. Not only has she never been an educator or administrator but she has never even attended or enrolled her children in public education.

A high quality, public education is one of the most powerful tools a society has. Please don't allow someone with no experience and who is fundamentally against public education to become the person in charge of it. I respectfully ask you and your colleagues in the senate to do what is right by our nation's students and reject Ms. DeVos as Secretary of Education.

Thank you again for your tireless service to the residents of Washington.

I have 48,000 letters. My staff handed me a pile of them. They are all very similar. They are very heartfelt. They are not just writing a rote letter to us. They watched the hearings, they listened, they care about our public schools, and some of them are Trump supporters. They want this President to support our public schools.

They did not in this past election have a debate about whether we should privatize public schools. We talked about the debate—and I know my candidate didn't win. But in this country, I never heard a debate about taking public education away, about voucherizing our public schools, about having someone who is the top person—the Secretary of Education—espouse positions that are so fundamentally opposed to what I grew up with and obviously to so many parents, teachers, students, family members, superintendents, people involved in schools, and business leaders. They are writing to us now because they saw the same thing we did in this hearing.

Let me read a letter from Trina Whitaker from Mukilteo Schools. She says:

This is my 16th year of being a teacher in our public school system in WA State. I am an advocate of public schools as I feel strongly that all our students deserve the right to free and quality education.

I am opposed to the nomination of Betsy DeVos for the Secretary of Education system. Her past actions and beliefs clearly demonstrate that she is not an advocate for our public schools. It would be so damaging if we move in the direction of privatizing public education.

Please consider opposing the nomination of Betsy DeVos in the best interest for our public school system.

Let me read another letter from Rachel Guim of Seattle. She says:

As a committed public school teacher, I believe in our neighborhood public schools, which open their doors to all children, because unlike Betsy DeVos, I see them work for children and their families every single day. We as a community are being undermined by charters, vouchers, for-profit schools and online schools. Precious tax dollars are being wasted creating a parallel school system (when we're already underfunded and not meeting the legal requirements)! Our democratically governed schools—we, the people you have vowed to represent—need your commitment and support. Choice is a disguise for school privatization, nothing more. Stop the takeover of our democratically governed schools. . . . Do not vote to confirm Betsy DeVos.

And she goes on. Again, there are so many letters from so many people from so many different walks of life, all concerned about having a Secretary of Education who doesn't represent the best values and the best beliefs of our country.

Ms. Amanda Smith, a Kindergarten teacher, wrote to me and said:

Hello,

I am a kindergarten teacher in a public elementary school. I am very concerned about Betsy DeVos' potential nomination as secretary of education. As someone who never attended public school, didn't send her kids to public school, does not have an education degree and has never taught, she hardly seems like a fitting candidate for secretary of education. Can anything be done to stop this nomination?

From Gina McMath, a teacher in Port Townsend, WA:

Dear Patty Murray,

As a recently retired public school teacher, I especially urge you to fight against Betsy DeVos's nomination for education secretary. She is not in any way qualified for the job. Her commitment to charter schools combined with a lack of experience with public schools could destroy our nation's educational system.

Public school teachers provide an education for all of our students. Teachers need more respect and remuneration. We need the very best college graduates to be attracted to the profession. I have known so many dedicated and effective public school teachers during my 25-year career and those of us retiring baby boomers need the best successors possible. They need your support. Don't let this undermine our efforts.

Thank you again for all your [work].

What I hear from people over and over again is that they want somebody leading our public school system in this country who actually believes in public schools, who has the education, the experience, the compassion, the willingness to understand what our

forefathers did when they created this country and said: We are going to have a country—a democracy—that has a public education system paid for by all taxpayers to assure that everyone, no matter who they are or where they come from, is not denied a public education. They can learn to read and write and communicate and get the skills they need to be successful. They can dream who they want to dream to be and be there.

We do not want to go backward, and we are one vote away from changing where we are on this nomination, sending this back to the President, and asking him to please send us a Secretary of Education who can get the votes in the Senate, who will be an Education Secretary for all people, from all walks of life, from our rural communities and our urban communities, no matter who they are or where they come from. That, I think, is a great possibility and would be a great outcome.

I know that my colleague is on the floor and is ready to speak as well. Again, I have so many letters from so many people—48,000—who have voiced their opinion on this, more than I have ever had with any other nominee in my memory or any other issue in my memory. I thank all those who have written in and spoken out and stood up for public education. It is the foundation of our democracy, and it is our responsibility, our goal to continue that for them.

Mr. President, I yield the floor.

MORNING BUSINESS

COMMITTEE ON FINANCE

RULES OF PROCEDURE

Mr. HATCH. Mr. President, the Committee on Finance has adopted rules governing its procedures for the 115th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Senate Committee on Finance be printed in the RECORD.

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

COMMITTEE ON FINANCE

I. RULES OF PROCEDURE

Rule 1. *Regular Meeting Days.*—The regular meeting day of the committee shall be the second and fourth Tuesday of each month, except that if there be no business before the committee the regular meeting shall be omitted.

Rule 2. *Committee Meetings.*—(a) Except as provided by paragraph 3 of Rule XXVI of the Standing Rules of the Senate (relating to special meetings called by a majority of the committee) and subsection (b) of this rule, committee meetings, for the conduct of business, for the purpose of holding hearings, or for any other purpose, shall be called by the chairman after consultation with the ranking minority member. Members will be notified of committee meetings at least 48 hours

in advance, unless the chairman determines that an emergency situation requires a meeting on shorter notice. The notification will include a written agenda together with materials prepared by the staff relating to that agenda. After the agenda for a committee meeting is published and distributed, no nongermane items may be brought up during that meeting unless at least two-thirds of the members present agree to consider those items.

(b) In the absence of the chairman, meetings of the committee may be called by the ranking majority member of the committee who is present, provided authority to call meetings has been delegated to such member by the chairman.

Rule 3. *Presiding Officer*.—(a) The chairman shall preside at all meetings and hearings of the committee except that in his absence the ranking majority member who is present at the meeting shall preside.

(b) Notwithstanding the rule prescribed by subsection (a) any member of the committee may preside over the conduct of a hearing.

Rule 4. *Quorums*.—(a) Except as provided in subsection (b) one-third of the membership of the committee, including not less than one member of the majority party and one member of the minority party, shall constitute a quorum for the conduct of business.

(b) Notwithstanding the rule prescribed by subsection (a), one member shall constitute a quorum for the purpose of conducting a hearing.

Rule 5. *Reporting of Measures or Recommendations*.—No measure or recommendation shall be reported from the committee unless a majority of the committee is actually present and a majority of those present concur.

Rule 6. *Proxy Voting; Polling*.—(a) Except as provided by paragraph 7(a)(3) of Rule XXVI of the Standing Rules of the Senate (relating to limitation on use of proxy voting to report a measure or matter), members who are unable to be present may have their vote recorded by proxy.

(b) At the discretion of the committee, members who are unable to be present and whose vote has not been cast by proxy may be polled for the purpose of recording their vote on any rollcall taken by the committee.

Rule 7. *Order of Motions*.—When several motions are before the committee dealing with related or overlapping matters, the chairman may specify the order in which the motions shall be voted upon.

Rule 8. *Bringing a Matter to a Vote*.—If the chairman determines that a motion or amendment has been adequately debated, he may call for a vote on such motion or amendment, and the vote shall then be taken, unless the committee votes to continue debate on such motion or amendment, as the case may be. The vote on a motion to continue debate on any motion or amendment shall be taken without debate.

Rule 9. *Public Announcement of Committee Votes*.—Pursuant to paragraph 7(b) of Rule XXVI of the Standing Rules of the Senate (relating to public announcement of votes), the results of rollcall votes taken by the committee on any measure (or amendment thereto) or matter shall be announced publicly not later than the day on which such measure or matter is ordered reported from the committee.

Rule 10. *Subpoenas*.—Witnesses and memoranda, documents, and records may be subpoenaed by the chairman of the committee with the agreement of the ranking minority member or by a majority vote of the committee. Subpoenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the chairman, or by any other member of the committee designated by him.

Rule 11. *Nominations*.—In considering a nomination, the committee may conduct an investigation or review of the nominee's experience, qualifications, and suitability, to serve in the position to which he or she has been nominated. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the committee may request. The committee may specify which items in such statement are to be received on a confidential basis. Witnesses called to testify on the nomination may be required to testify under oath.

Rule 12. *Open Committee Hearings*.—To the extent required by paragraph 5 of Rule XXVI of the Standing Rules of the Senate (relating to limitations on open hearings), each hearing conducted by the committee shall be open to the public.

Rule 13. *Announcement of Hearings*.—The committee shall undertake consistent with the provisions of paragraph 4(a) of Rule XXVI of the Standing Rules of the Senate (relating to public notice of committee hearings) to issue public announcements of hearings it intends to hold at least one week prior to the commencement of such hearings.

Rule 14. *Witnesses at Hearings*.—(a) Each witness who is scheduled to testify at any hearing must submit his written testimony to the staff director not later than noon of the business day immediately before the last business day preceding the day on which he is scheduled to appear. Such written testimony shall be accompanied by a brief summary of the principal points covered in the written testimony. Having submitted his written testimony, the witness shall be allowed not more than ten minutes for oral presentation of his statement.

(b) Witnesses may not read their entire written testimony, but must confine their oral presentation to a summarization of their arguments.

(c) Witnesses shall observe proper standards of dignity, decorum, and propriety while presenting their views to the committee. Any witness who violates this rule shall be dismissed, and his testimony (both oral and written) shall not appear in the record of the hearing.

(d) In scheduling witnesses for hearings, the staff shall attempt to schedule witnesses so as to attain a balance of views early in the hearings. Every member of the committee may designate witnesses who will appear before the committee to testify. To the extent that a witness designated by a member cannot be scheduled to testify during the time set aside for the hearing, a special time will be set aside for the witness to testify if the member designating that witness is available at that time to chair the hearing.

Rule 15. *Audiences*.—Persons admitted into the audience for open hearings of the committee shall conduct themselves with the dignity, decorum, courtesy, and propriety traditionally observed by the Senate. Demonstrations of approval or disapproval of any statement or act by any member or witness are not allowed. Persons creating confusion or distractions or otherwise disrupting the orderly proceeding of the hearing shall be expelled from the hearing.

Rule 16. *Broadcasting of Hearings*.—(a) Broadcasting of open hearings by television or radio coverage shall be allowed upon approval by the chairman of a request filed with the staff director not later than noon of the day before the day on which such coverage is desired.

(b) If such approval is granted, broadcasting coverage of the hearing shall be conducted unobtrusively and in accordance with the standards of dignity, propriety, courtesy, and decorum traditionally observed by the Senate.

(c) Equipment necessary for coverage by television and radio media shall not be installed in, or removed from, the hearing room while the committee is in session.

(d) Additional lighting may be installed in the hearing room by the media in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage of the hearing at the then current state of the art of television coverage.

(e) The additional lighting authorized by subsection (d) of this rule shall not be directed into the eyes of any members of the committee or of any witness, and at the request of any such member or witness, offending lighting shall be extinguished.

Rule 17. *Subcommittees*.—(a) The chairman, subject to the approval of the committee, shall appoint legislative subcommittees. The ranking minority member shall recommend to the chairman appointment of minority members to the subcommittees. All legislation shall be kept on the full committee calendar unless a majority of the members present and voting agree to refer specific legislation to an appropriate subcommittee.

(b) The chairman may limit the period during which House-passed legislation referred to a subcommittee under paragraph (a) will remain in that subcommittee. At the end of that period, the legislation will be restored to the full committee calendar. The period referred to in the preceding sentences should be 6 weeks, but may be extended in the event that adjournment or a long recess is imminent.

(c) All decisions of the chairman are subject to approval or modification by a majority vote of the committee.

(d) The full committee may at any time by majority vote of those members present discharge a subcommittee from further consideration of a specific piece of legislation.

(e) The chairman and ranking minority members shall serve as nonvoting *ex officio* members of the subcommittees on which they do not serve as voting members.

(f) Any member of the committee may attend hearings held by any subcommittee and question witnesses testifying before that subcommittee.

(g) Subcommittee meeting times shall be coordinated by the staff director to ensure that—

(1) no subcommittee meeting will be held when the committee is in executive session, except by unanimous consent;

(2) no more than one subcommittee will meet when the full committee is holding hearings; and

(3) not more than two subcommittees will meet at the same time.

Notwithstanding paragraphs (2) and (3), a subcommittee may meet when the full committee is holding hearings and two subcommittees may meet at the same time only upon the approval of the chairman and the ranking minority member of the committee and subcommittees involved.

(h) All nominations shall be considered by the full committee.

(i) The chairman will attempt to schedule reasonably frequent meetings of the full committee to permit consideration of legislation reported favorably to the committee by the subcommittees.

Rule 18. *Transcripts of Committee Meetings*.—An accurate record shall be kept of all mark-ups of the committee, whether they be open or closed to the public. A transcript, marked as "uncorrected," shall be available for inspection by Members of the Senate, or members of the committee together with their staffs, at any time. Not later than 21 business days after the meeting occurs, the committee shall make publicly available through the Internet—

- (a) a video recording;
- (b) an audio recording; or
- (c) after all members of the committee

have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements, a corrected transcript.

Notwithstanding the above, in the case of the record of an executive session of the committee that is closed to the public pursuant to Rule XXVI of the Standing Rules of the Senate, the record shall not be published or made public in any way except by majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

Rule 19. *Amendment of Rules.*—The foregoing rules may be added to, modified, amended, or suspended at any time.

II. EXCERPTS FROM THE STANDING RULES OF THE SENATE RELATING TO STANDING COMMITTEES

RULE XXV

STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * *

(i) *Committee on Finance*, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Bonded debt of the United States, except as provided in the Congressional Budget Act of 1974.
2. Customs, collection districts, and ports of entry and delivery.
3. Deposit of public moneys.
4. General revenue sharing.
5. Health programs under the Social Security Act and health programs financed by a specific tax or trust fund.
6. National social security.
7. Reciprocal trade agreements.
8. Revenue measures generally, except as provided in the Congressional Budget Act of 1974.
9. Revenue measures relating to the insular possessions.
10. Tariffs and import quotas, and matters related thereto.
11. Transportation of dutiable goods.

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RULE XXVI

COMMITTEE PROCEDURE

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2. Each committee shall adopt rules (not inconsistent with the Rules of the Senate) governing the procedure of such committee. The rules of each committee shall be published in the Congressional Record not later than March 1 of the first year of each Congress, except that if any such committee is established on or after February 1 of a year, the rules of that committee during the year of establishment shall be published in the Congressional Record not later than sixty days after such establishment. Any amendment to the rules of a committee shall not take effect until the amendment is published in the Congressional Record.

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5. (a) Notwithstanding any other provision of the rules, when the Senate is in session, no committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first

two hours after the meeting of the Senate commenced and in no case after two o'clock post meridian unless consent therefor has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The majority leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion.

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so

long as there is doubt of the assurance of order.

(e) Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record.

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H.J. RES. 41

Mr. SANDERS. Mr. President, I strongly opposed the Republicans' efforts to gut the SEC rule regarding transparency for oil and mining industry payments to foreign governments.

I hope the American people are paying attention. One of the first substantive legislative matters that Republicans are trying to send to the President is a measure that makes it easier for oil companies to corrupt foreign governments and undermine U.S. foreign policy goals.

This bill seeks to unravel human rights and transparency protections implemented by the Obama administration. The rule requires oil and mining companies to tell the SEC how much money they pay to foreign governments to extract natural resources. It is a simple, common-sense requirement to improve transparency and combat corruption in some of the most corrupt and dysfunctional countries in the world. In fact, dozens of other countries require that their companies report payments to foreign governments.

Time and again, we have seen oil and mining companies go into other nations that are poor and lack basic democratic institutions and pay huge sums of money to autocratic corrupt regimes. According to a recent article in *Foreign Affairs*, when Rex Tillerson led Exxon as its chairman and CEO, Exxon "cut lucrative deals with dictators in oil-rich pockets of Africa, extending the lifespans of autocratic regimes in places such as Angola, Chad, the Democratic Republic of the Congo, and Equatorial Guinea." Thanks to their countries' oil reserves, the leaders of these poor countries have been able to remain in power for decades.

Yet the rule is dogged by many myths and falsehoods spurred by the fossil fuels lobby. More than \$200 million was spent by opponents of the rule—the oil and gas industry and the U.S. Chamber of Commerce—on political lobbying and campaign contributions. According to a report in *POLITICO*, when our newly confirmed Secretary of State, Rex Tillerson, was the CEO of Exxon Mobil, he personally lobbied vigorously against transparency and disclosure, saying that if other people knew how much his company paid foreign governments, it would be bad for his business. In fact, Rex Tillerson said that there was one country in particular where this rule would be hard for Exxon—Russia.

Another Republican myth is that U.S. companies are at a competitive