

Finally, were we truly men of dedication—with an honor mortgaged to no single individual or group, and compromised by no private obligation or aim, but devoted solely to serving the public good and the national interest.

Courage—judgment—integrity—dedication—these are the historic qualities of the Bay Colony and the Bay State—the qualities which this state has consistently sent to this chamber on Beacon Hill here in Boston and to Capitol Hill back in Washington.

Madam Speaker, we are called to serve in this great country with courage, judgement, integrity, and dedication. And when those among us—those in the highest positions of public trust—willingly corrupt those values for personal benefit, it is incumbent upon us to act, however reluctantly.

I believe that it has become undeniably clear that the President of the United States, Donald J. Trump, has engaged in a pattern of behavior designed to extract personal and political benefit from the Office of the President. In doing so, President Trump irreparably violated his oath to preserve—to protect—and to defend—the Constitution of the United States of America. It is with a heavy heart, and a deep reverence to that same oath that I refuse to abandon mine.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF SACRAMENTO STATE'S EDUCATION OPPORTUNITY PROGRAM

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2019

Ms. MATSUI. Madam Speaker, I rise today in honor of the 50th Anniversary of the Education Opportunity Program

(EOP) at Sacramento State. I ask my colleagues to join me in recognizing the service that Sacramento State's Education Opportunity Program provides to our community.

Sacramento State's EOP has graduated thousands of students, supporting the success of first-generation and low-income scholars from educationally-disadvantaged and historically-underrepresented communities. Sacramento State was one of the original California State University (CSU) campuses to embrace an Education Opportunity Program. Under the leadership of Dr. Edwin Klingelhofer, the program began with a successful pilot for 36 students and has expanded to now serve over 1,500 students each year. Soon after the program began at Sacramento State, the California Legislature passed Senate Bill 1072, which established similar programs at all CSU campuses. Since then, Sacramento State's EOP has thrived under the leadership of Dr. Marcellene Watson-Derbigny and the exceptional staff of the Student Academic Success and Educational Equity Programs office. Their dedicated service has paved the way for equity at Sacramento State and does not go unrecognized.

EOP was Sacramento State's first equity program. It provides admissions assistance, a special orientation to university life, the Summer Bridge Academy, academic advising, personal counseling, tutoring, financial assistance, and various other programs. EOP is vital in ensuring the access, retention, and

graduation achievements of underserved student populations. EOP is a major pathway for first-generation and low-income college students to succeed through its provision of a quality educational experience at Sacramento State. I wish the university's faculty, staff, students, and alumni success as they work to help individuals earn a college degree and fulfill their college dreams.

Madam Speaker, I rise today in honor of the 50th Anniversary of the Education Opportunity Program at Sacramento State. As Sacramento State and the wider community celebrate, I ask my colleagues to join me in paying tribute to the accomplishments of Sacramento State's Education Opportunity Program's staff and students, as they have paved the way for the success and representation of historically-underserved students.

INTRODUCTION OF JONES ACT MODERNIZATION BILLS

HON. ED CASE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2019

Mr. CASE. Madam Speaker, today I introduce three bills to end a century of monopolistic closed market domestic cargo shipping to and from my isolated home state of Hawai'i as well as the other island and separated jurisdictions of our country not part of the continental United States. In doing so, we will break the stranglehold on the peoples and economies of these exposed communities and their resulting sky-high costs of living which results from just a few domestic shipping companies controlling the lifeline of commerce upon which we absolutely depend.

These bills all amend the Merchant Marine Act of 1920, also known as the Jones Act. That federal law mandates that all cargo shipping between U.S. ports occur exclusively on U.S., not foreign, flagged vessels. Additionally, the law requires that these vessels are built in the U.S. and owned and crewed by U.S. citizens.

The Jones Act was enacted in a protectionist era under the guise of preserving a strong national merchant marine. But today it is just an anachronism: most of the world's shipping is by way of an international merchant marine functioning in an open, competitive market. And those few U.S. flag cargo lines that remain have maneuvered the Jones Act to develop virtual monopolies over domestic cargo shipping to, from and within our most isolated and exposed locales—our island and offshore states and territories—that have no alternative modes of transportation such as trucking or rail.

My Hawai'i is a classic example. Located almost 2,500 miles off the West Coast, we import well over 90 percent of our life necessities by ocean cargo. There are plenty of international cargo lines who could and would compete for a share of that market. Yet only two U.S. flag domestic cargo lines—Matson Navigation and Pasha Hawai'i—operate a virtual duopoly over our lifeline.

While they are nominally subject to federal regulation, the fact of the matter is that cargo prices have gone in only one direction—up, fast and repeatedly, despite a surplus of international shipping—and it is indisputable that

there is no downward market pressure which would otherwise result from meaningful competition. These accelerating cargo prices are not absorbed by the shipping lines, but passed through all the way down the chain, to the transporters, wholesalers, retailers, small businesses, mom-n-pops and ultimately consumers, of all of the elementals of life, from food to medical supplies, clothes, housing and virtually all other goods. The result is a crippling drag on an already-challenged economy and the very quality of life in Hawai'i.

The broadest, deepest effects of the Jones Act on Hawai'i result from its impact on west-bound imports from the continental United States to Hawai'i. But Hawai'i is an export location as well, in key products such as agriculture and livestock. Here the Jones Act also effectively stifles meaningful competition in getting those products to their primary markets on the U.S. Mainland. Because the producers of these products and all that rely for their own livelihood on their successful export have to eat inflated shipping costs, these export industries, which any economist knows are the ultimate key to any economy's prosperity, are also crippled.

Let's take a concrete example: Hawai'i's once-prosperous ranching/cattle industry, which is so key to the economic health and the very lifestyle of so much of areas like the rural Big Island, where I was born and raised. That industry depends on getting its product, young cattle, to West Coast pens and transportation hubs in a cost-efficient manner.

There are foreign cargo carriers that specialize, through custom cattle ships and overall sensitivity and adjustment to rancher timetables and needs, in such transport, but the Jones Act outright excludes them from the Hawai'i-Mainland market. As a result, Hawai'i's ranchers are reduced to two crippling, cost magnifying options.

The first is to ship their cargo by foreign carriers to Canada, where they have to go through a myriad of bureaucratic, cost-magnifying gyrations to get their product eventually to their U.S. markets. The second is to beg for the goodwill of the domestic carriers, to whom this is simply a hindrance rather than a major commitment, to ship directly to the West Coast.

And it shows: most of the cattle are first shipped from Hawai'i's Neighbor Islands, where the bulk of the cattle industry is located, to O'ahu, in small "cow-tainers," where they sit for days in Honolulu Harbor awaiting the return to the Mainland of one of the massive cargo ships designed and utilized for quite another purpose. The result (besides associated higher costs) is in-harbor cattle waste disposal challenges, higher in-transit cattle mortality and lower-weight cattle delivery to market. That's what happens when you try to squeeze a square peg into a round hole.

More broadly, there is much evidence about the direct impact of the Jones Act on shipping prices to noncontiguous areas. At a basic level, the everyday goods that we rely on in Hawai'i cost much more than on the Mainland, a difference which largely cannot be attributed to anything other than shipping costs. Yesterday, there was a 30 percent difference in the price of a gallon of milk at Safeway grocery stores in Honolulu and Long Beach, California. My constituents pay \$6.39 for a gallon of whole milk and those in Long Beach, one of the major ports where Hawai'i's good come

from, pay \$4.49. Really, shipping that gallon of milk to Hawai'i from California is 30 percent of the total cost of the product in Hawai'i?

In 2012, the Federal Reserve Bank of New York studied Puerto Rico's economy and found that "the high cost of shipping is a substantial burden on the Island's productivity." The New York Fed found that, "[i]t costs an estimated \$3,063 to ship a twenty-foot container of household and commercial goods from the East Coast of the United States to Puerto Rico; the same shipment costs \$1,504 to nearby Santo Domingo (Dominican Republic) and \$1,687 to Kingston (Jamaica)—destinations that are not subject to Jones Act restrictions." There is only one reason why costs are double to ship from the continental United States to a domestic port in Puerto Rico as compared to foreign ports in the Dominican Republic and Jamaica: there is international competition on the latter routes, none on the domestic route and the shipping companies take full advantage of that lack of competition.

The three bills I introduce today say: enough is enough. If you, the continental U.S., wants to continue the Jones Act as to shipping between your locations, that's your business. But don't penalize us island and other non-contiguous locations by throwing us to the monopoly wolves you've created.

The first bill, the Noncontiguous Shipping Relief Act, exempts all noncontiguous U.S. locations, including Hawai'i, from the Jones Act. The second, the Noncontiguous Shipping Reasonable Rate Act, benchmarks the definition of a "reasonable rate" that Jones Act shipping can charge to within ten percent of analogous international shipping rates. And the third, the Noncontiguous Shipping Competition Act, prevents monopolies or duopolies in noncontiguous Jones Act shipping. Essentially, the bills are intended to lay out options for providing relief for our U.S. noncontiguous areas. We can resolve the issue in many ways, but we must change the status quo which has had such a deep, broad and negative impact on my state and the other jurisdictions beholden to the Jones Act.

The Noncontiguous Shipping Relief Act would allow the noncontiguous jurisdictions to be serviced by non-Jones Act vessels and increase, or in some cases create any, competition in these critical shipping lanes. Again, this is a small portion of the total national Jones Act shipping where it is particularly destructive in application.

Let me address directly the argument offered up by the domestic shippers in defense of the Jones Act: that it contains important labor and environmental protections that would be lost upon repeal. My bill would retain these important protections. Specifically, it provides that all foreign shippers operating under the bill's Jones Act exemptions must comply with the same labor, environmental, tax, documentation, U.S. locus and other laws as are applicable to non-U.S. flag ships and shippers transiting U.S. waters today.

The Noncontiguous Shipping Reasonable Rate Act would define a "reasonable rate" for the noncontiguous domestic ocean trade as no more than ten percent above the rate set by a comparable international rate recognized by the Federal Maritime Commission. Currently, the Surface Transportation Board technically has the authority to adjudicate and set precedent on what a "reasonable rate" is for Jones Act shipping, but it has almost never

been used and never to a clear conclusion on what is a reasonable rate. My bill would define reasonable to remove uncertainty. Current Jones Act shipping rates vary widely and there is no central compilation of these rates. The ten percent benchmark would allow for variance but also ensure that Americans in our noncontiguous areas are not forced to pay exorbitant rates way above shipping rates which would otherwise be provided through international competition were the Jones Act not applicable.

The Noncontiguous Shipping Competition Act would exempt shipping routes to non-contiguous jurisdictions from the Jones Act requirements if a monopoly or duopoly exists on those routes. The Jones Act has resulted in the blossoming of monopolies and duopolies in our noncontiguous jurisdictions. To ensure that these communities, which are the most reliant in the country on shipping to receive necessities, are not held hostage to these dominant companies, my bill would give Jones Act exemptions to routes that are not serviced by at least three companies with separate ownership. In short, if a domestic route is in fact in a competitive environment, the Jones Act is less of a problem, but if there is no competition, then the route should be opened up to international competition by rescinding the Jones Act.

Madam Speaker, these long-overdue bills are of the utmost importance to the localities which have long borne the unfair brunt of the Jones Act. It is often difficult to pierce the veil of longstanding custom and understanding to see the real negative impacts of a law and what should instead be. It is even more difficult to change a law which provides a federally-created and endorsed monopoly under which no competition exists to hold down prices. Yet clearly the time for these measures is overdue. I urge their passage.

#### CELEBRATION OF NEW GARDEN ENTRANCE, GARDEN ENTRY PAVILION, & CIRCLE

##### HON. WILLIAM R. TIMMONS, IV

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2019

Mr. TIMMONS. Madam Speaker, the Hatcher Garden and Woodland Preserve in my district recently celebrated the opening of its new garden entrance, entry pavilion, and circle. The Hatcher Garden and Woodland Preserve originated as the vision of its namesakes, Harold and Josephine Hatcher. The Hatchers shared a passion for gardening and education. The family gradually expanded beyond their initial small wooded residential lot to ten acres, adding walking paths and trees to rehabilitate the land and reclaim eroded cotton fields. Their zeal inspired many volunteers to join their efforts to develop a gift to the community—a shared garden and woodland preserve for relaxation and information. Their life project was donated to the Spartanburg County Foundation in 1987 to ensure its continuance.

Today, the Hatcher Garden and Woodland Preserve exceeds twelve acres. It is open to the public and free of charge to all visitors, in line with the Hatcher's vision. Outdoor education programs are offered for elementary school children and opportunities are afforded

to more than 60,000 visitors to experience inspiration, enjoyment, and education through nature.

This December, a two-year project was completed at the Garden. The new facilities will enhance the experiences and opportunities enjoyed by visitors of all ages, and will continue to be a source of knowledge and information to the community. I am grateful for the Garden's continued efforts in my district and I look forward to their continued success.

#### RECOGNIZING THE INAUGURATION OF THE PRINCIPAL AND SECOND CHIEF OF THE ALABAMA-COUSHATTA TRIBE OF TEXAS

##### HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2019

Mr. BABBIN. Madam Speaker, I rise today to recognize the inauguration of Herbert Johnson, Sr. and Donnis Battise as Principal Chief and Second Chief, respectively, of the Alabama-Coushatta Tribe of Texas on January 1, 2020.

Herbert Johnson, Sr., a member of the Beaver Clan, served two terms on the Alabama-Coushatta Tribe Council, and held the position of Tribal Security Director for 21 years until his retirement in 2012. Mr. Johnson was vibrantly active in his community, serving on the Tribe's volunteer fire department and as the manager of the Tribal softball and basketball leagues for numerous years. He attended Jacksonville College, and later earned certification from Kilgore College and the Angelina Criminal Justice Center as an East Texas Police Academy reserve officer. Mr. Johnson is a member of the Indian Presbyterian Church, and has served nearly half a century on the Big Sandy Independent School District Board of Trustees. In all his endeavors, he enjoys the love and support of his wife, Deloris, and he takes great pride in their five children: Davie, Delbert, Retha, Herbert Jr., and Heather, and their five grandchildren: Jackson, Camille, Raegan, Aaliyah, and Stormi.

Donnis Battise, a member of the Bear Clan, has served two terms on the Tribal Council and has been a member of the Tribe's volunteer fire department. During the Vietnam War, Mr. Battise served in the U.S. Army and is active today with the Tribal Veterans Association. Mr. Battise was employed in the lumber and paper industries for 33 years, and more recently retired from his position as a gaming attendant at Naskila Gaming. As a fervent follower of the Indian Presbyterian Church, Donnis serves both as an ordained elder and deacon of the church. He and his wife, Carol, are the guardians of Lilly Ann Alec.

Herbert Johnson, Sr. and Donnis Battise have earned the high esteem of Tribal members through their many years of outstanding service, and it is indeed a pleasure to honor them on this special occasion.

Madam Speaker, I congratulate Herbert Johnson, Sr. and Donnis Battise on their inauguration as Principal Chief and Second Chief of the Alabama-Coushatta Tribe and I ask that they may be extended sincere best wishes for the future.