United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, WEDNESDAY, FEBRUARY 1, 2017 No. 17

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 1, 2017.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

PRESIDENT TRUMP'S FIASCOS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, for the last 2 weeks, we have lurched from one fiasco to another, played out on a national and international stage. There were press briefings and Presidential statements filled with official lies. We have witnessed tragedies, late night firings, policy changes, and clarifications, also known as backtracking, and then we have come back for another round of fiascos.

We are told we will not have a National Security Council as we always have had, one with the top minds of the intelligence community and the head of the Joint Chiefs of Staff. No, instead, we will have a nationalist security council, with Breitbart's Steve Bannon and his personal experience as a former Navy officer right there in the situation room. I am not feeling safer already.

The President has acted to criminalize immigrants and to make every immigrant an equal priority for deportation. Trump actually buried a requirement in his executive order to count, every week, the number of crimes committed by immigrants and to have the government officially tally every single week the number of Mexican rapists, criminals, and drug dealers—the ones Donald Trump has been talking about since he launched his campaign.

But interestingly, by law, the Federal Government and the Centers for Disease Control and Prevention cannot conduct research into how many people are killed by guns—that is outlawed—and how we can prevent gun violence—that is outlawed. No, the NRA and its wholly owned subsidiary, the Republican Party, has outlawed that. But the new immigrant rape report is ripped from the headlines of Breitbart and other rightwing websites, except that now it is the basis of government policy. We are really getting a lesson in who is and who is not a criminal in this post-''1984'' world of newspeak.

We all know that there are millions of undocumented immigrants from all over the world, but this administration keeps whipping out that Mexican thing. Let's face it, the people thinking up these policies think all Latinos are Mexicans and all Mexicans are immigrants. So if you are an immigrant from Mexico, except for a few good ones, you are a criminal, a rapist, or a murderer.

Millions and millions of people who the President wants to deport are people with traffic violations. They drove without a license in many States because the State in which they live and pay taxes does not issue driver's licenses to them. They are moms and dads who came back after they were deported because that is what moms and dads tend to want to do: to be with their children, watch them grow up, nurture and love them. And Trump's targets include young people and teenagers who are listed on a ''gang registry'' because a local cop thought they dressed or acted like they might be in a gang.

But if you hire maids or nannies and do not pay the proper amount of Social Security and FICA taxes, or if they are undocumented immigrants and you don't pay the taxes, you are not called a criminal. No, you are called a Cabinet Secretary. In fact, we will put you in charge of the budget, including Social Security, the one you failed to pay.

Or you can run the Department of Commerce, yes. If your business engages in the shady business of foreclosing on grandmas and widows, you get to be the Secretary of the Treasury.

If you close down the Department of Energy, that is what you want to do, close down the Department of Energy, guess what you get to do. You get to run it.

If you oppose public schools, you get to be Secretary of Education.

And if you have opposed every inch of progress for civil and human rights in this country with every fiber of your being—immigrant rights, gay rights, basic civil rights for people of color, basic protections to make sure that everyone's vote counts equally—well, in that case, guess what you get to do, you get to run the Department of Justice, the agency ultimately charged with making sure everyone gets equal protection under the law.

Up is down, down is up, and it is only his second week.

I feel our new President has some learning to do, and a lot of that learning has to do with the three branches of government, like what the executive branch should do when a Federal judge tells them to stop doing something they shouldn't be doing in the first place.

I think the new President has a lot to learn about the freedom of religion, the separation of church and State, and how our refugee policies work. I think the people of Chicago could teach him a lot about the Fourth Amendment and its ban on unreasonable search and seizure and the illegality of holding immigrants in jail without a warrant.

So I am offering to give the President my copy of the Constitution, autographed by Khizr Khan, the father of a U.S. Army captain killed in Iraq in 2004, who asked a question I don't think any one of us knows the answer to. That question is: Has the President ever read the Constitution? I am proud I will be standing with Mr. Khan and other leaders of different faiths later today at a press conference on the actions taken by our new dear leader.

We can all see through the emperor's new clothes and his Chinese-made tie, and the view isn't pretty, Mr. Speaker.

MUSLIM REFUGEE EXECUTIVE ORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, just hours after the President's misguided, counterproductive, and objectively anti-American Muslim ban was signed, we saw the effects. Chaos erupted at airports around the country, including in my own district at Chicago O'Hare. Green card holders were held in legal limbo. Refugees fleeing violence and persecution were sent away before boarding U.S.-bound flights, even after enduring years of thorough screening and vetting.

Unfortunately, this is not the first time we have turned away innocent people seeking safety in our country. In 1939, the German ocean liner St. Louis Manifest and its 937 Jewish passengers, almost all Jewish refugees, were turned away from the Port of Miami and sent back to Europe. Of those passengers, 254 were murdered in the Holocaust.

We all bear a responsibility to learn from the evils of history so that we will never make the same mistakes again. It is our turn to step up and fight to protect the values of our Nation and ensure that we are on the right side of history. Because who can possibly forget the photo of Alan Kurdi, the 3-year-old Syrian boy who was washed up on a Turkish beach. Or Omran Daqneesh, the 5-year-old Syrian boy covered in blood as he waited for emergency care after being rescued from a building in Aleppo hit by an airstrike. These devastating images have become symbols of the refugee crisis. We cannot let them symbolize our inaction, too.

The President's executive order creating this Muslim ban undermines the foundational ideas of this country, a Nation founded by immigrants with the intention of providing freedom, opportunity, and a better life to all who seek it. Making good on one of his most extreme campaign promises, the President signed this order with little or no input from his own national security advisers nor from specialists at the State Department, Homeland Security, or the Justice Department, once again signaling his strong and continued dismissal of facts, evidence, and advice from seasoned experts.

Contrary to the President's misguided belief, Islam is not the issue, and his decision to go after Muslims instead of terrorists only fuels our enemies' propaganda. The President's Muslim ban undermines our national security goals and is counterproductive in the fight against terrorism. The ban jeopardizes our strategic partnerships with allies in the Middle East who are on the very front lines in the fight against ISIS. Asylum seekers and foreign nationals have provided invaluable assistance to our military and diplomats in a variety of roles overseas. I agree with Senators MCCAIN and GRAHAM, who said this ban will become ''a self-inflicted wound in the fight against terrorism.'' Ultimately, this order is more likely to increase terrorist recruitment than to deter it.

Outrage over this ban extends far beyond national security and counterterrorism experts. For example, we are seeing sharp criticism from business leaders across the country, including CEOs of companies like Google, Apple, Facebook, and Airbnb. They recognize that immigrants play a huge role in fostering our Nation's entrepreneurial spirit, advancing new technology, creating startups, all which spur innovation and economic activity across the country.

Universities and academics across the country are also grappling with what the President's restrictions mean for their students and for scholarship and academia more broadly. Students benefit from the inclusion of all world views, which provide us with a deeper understanding of science, the arts, economic policy, national security, and all other aspects of our society.

Let's be clear. My own city of Chicago has been and will continue to be home to an immigrant and refugee community from all around the world, and we are forever enriched and grateful for the contributions that make this country great. I, along with the majority of American people who took to the streets to make their opposition heard loud and clear, demand that the administration rescind this shameful order before even more grave and lasting damage is done.

Let's call a spade a spade. Despite the White House's insistence that this is not a Muslim ban, the policy laid out by the President will almost exclusively impact Muslims. In fact, the President went so far as to point out that this administration will prioritize the admittance for Christian refugees. If this is not a religious test, then what is?

Refugees of all faiths, creeds, race, and national origins have looked to America as a beacon of freedom. So long as this ban is in effect, that light shines less brightly. We will not etch a new inscription at the base of the Statue of Liberty. Instead, her golden lamp will continue to welcome those who are tired, poor, and yearning to be free, just as it always has.

TRUMP'S REFUGEE EXECUTIVE ORDER: SEPARATING FACT FROM FICTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. BABIN) for 5 minutes.

Mr. BABIN. Mr. Speaker, I rise to express my fervent support for President Trump's executive order: Protecting the Nation from Foreign Terrorist Entry.

I, along with many other Members of Congress, have been speaking out for more than a 1½ years about the dangers posed by our U.N.-run refugee resettlement program. I applaud President Trump for following through on his promise by imposing strict vetting for seven countries that President Obama labeled in 2016 as countries of particular concern for terrorism.

Liberal activists and politicians are leveling baseless assertions about the Trump policy only to see a lazy and complicit media parrot their claims without exercising due diligence to validate it. To me, this is fake news. And in this incident, it is the mainstream media that is pushing this misinformation. Let's separate myth from fact and inject a little coolheaded commonsense into this national dialogue.

Friday's executive order does a few things: It pauses the entry of all refugees for the next 120 days; it caps refugee admissions for fiscal year 2017 at 50,000; it stalls, for 90 days, the admission of foreign nationals from seven countries that are well established as terrorist hotspot countries; and it puts priority on highly persecuted religious minorities when the refugee program resumes.

The media has echoed the protesters' assertion that this is somehow a Muslim ban. They are flat-out wrong. Remember, it was President Obama who created this seven-country list, not President Trump.

If it were a Muslim ban, then why doesn't it include restrictions on the other 40 majority Muslim nations? That makes no sense. That is because this is a targeted approach to deal with the threat posed by terrorists who operate freely in these failed states and pose a direct threat to the American people. There is absolutely nothing in this executive order that says anything

about banning any particular group of people.

Another shortsighted fallacy being propagated is that President Trump is the only President to ever implement restrictions on refugee admissions. Conveniently forgotten is the fact that in 2011, President Obama stopped processing refugees from Iraq for 6 months after a terrorist plot was uncovered involving two Iraqi refugees who had come into the United States.

□ 1015

Previous Presidents of both parties have responded to global threats with refugee admission limitations, so characterizing Trump's actions is unprecedented, is simply fiction and a gross demonstration of partisanship.

As ISIS has infiltrated the ranks of refugees in Europe, the President is similarly responding to global threats with the appropriate safeguards as he sees fit.

This is something that he should be praised for—not condemned.

The notion that the executive order is inherently un-American must be addressed as well. After all, America is the land made up of immigrants that has been a safe harbor to millions fleeing persecution around the world since her inception.

But in order for this to continue, we must be vigilant to protect our homeland.

America is the greatest Nation in the world, and if we let up on our pursuit of the highest national security standards, we will see this greatness slip away—to the detriment not only of all American citizens, but to the entire world.

Finally, I must address the false notion that having a Christian ethic demands that we accept all refugees with open arms. Well, if that is the case, why aren't we opening the doors wide to the 60 million refugees worldwide rather than only a fraction of 1 percent?

As a follower of Jesus Christ, I do believe that we should help those in need around us, and that America should be involved in helping the displaced and persecuted whenever we can.

Perhaps a more compassionate approach might be to take the money that we spend settling one refugee in the United States and, instead, for the same price, provide for 12, for a dozen, refugees in a safe haven near their own home countries.

Just as a father's primary responsibility is to care for his own children, the chief role of the President and other national leaders is to ensure the best interest of the citizens under their charge.

If President Trump were to overlook the safety of the American people, it would simply be an abdication of his own responsibility that the American people elected him to do.

It seems the President's opponents have cherry-picked particular Bible verses to suit their own political agenda, while ignoring other basic Biblical concepts of stewardship and responsibility out of sheer political convenience.

To conclude, the hysteria surrounding this national security executive order must come to an end.

After all, the main provisions of this executive order are temporary in nature and are in line with what many Presidents in the past have done.

ISIS presents one of the most extensive and complex threats to our Nation, and we do want our President to take every precaution to make sure that Americans are safe.

This—not the false narratives of Trump's opponents—must be the focus of the national dialogue, and we must share in what he is doing.

NSC APPOINTMENTS TO PRINCIPALS COMMITTEE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Mrs. MURPHY) for 5 minutes.

Mrs. MURPHY of Florida. Mr. Speaker, today I will introduce the Protect the National Security Council from Political Interference Act.

I would like to thank my House colleagues who have signed on as original cosponsors of this legislation.

I have worked at the Department of Defense, and I am a member of the Armed Services Committee. I believe the most solemn responsibility of Federal policymakers is to keep the American people safe, and to do so in a way that is faithful to the moral and ethical principles that have made this country exceptional, and a force for good in a dangerous and unpredictable world.

Within the complex Federal bureaucracy, the National Security Council is, arguably, the most important institution when it comes to debating and deciding issues related to homeland security, foreign policy, intelligence collection, and the national defense. Choices about whether to deploy men and women into combat are made during the meetings of the NSC or its main subgroup, the Principals Committee. So, too, are decisions about how to defend the homeland against terrorism and how to support our allies and counter our adversaries across the globe. The NSC's deliberations are so serious because the stakes are so high.

Since the creation of this body by Congress in 1947, Presidents from Truman to Obama have prescribed the organizational structure and role of the NSC according to their personal preferences within the broad parameters set by Congress. This is how it should be. The NSC is a policymaking instrument, and the President is entitled to utilize this instrument in the manner that the President sees fit.

However, historically, there has been a bipartisan consensus that the NSC debates should be divorced from the world of electoral politics. The Presidents of both parties have sought to establish an NSC policy process that is not contaminated or perceived to be contaminated by political considerations.

Josh Bolton, chief of staff to President George W. Bush, may have put it best while explaining why President Bush excluded political counselor Karl Rove from all NSC meetings: '' . . . the President . . . knew that the signal he wanted to send to the rest of his administration, the signal he wanted to send to the public, and the signal he especially wanted to send to the military, is that, 'The decisions I'm making that involve life and death for the people in uniform will not be tainted by any political decisions.' ''

I am filing this bill because I believe that President Trump's directive organizing the NSC breaks from this longstanding, bipartisan tradition of constructing a wall to separate national security policymaking from domestic politics to the greatest extent possible.

Specifically, the President's directive authorizes the Assistant to the President and Chief Strategist Stephen Bannon to be a permanent member of the NSC and to attend all NSC and Principals Committee meetings. Mr. Bannon's role in the administration has a strong political component. Indeed, it appears unprecedented for a political counselor so deeply enmeshed in politics to serve as a permanent member of the NSC.

Senator JOHN MCCAIN, the chairman of the Senate Armed Services Committee, described Mr. Bannon's appointment as a radical departure from any National Security Council in history.

Therefore, my bill will amend Federal law to ensure that no individual, whose primary responsibility is political in nature, shall be designated as a member of the NSC or be authorized to regularly attend meetings of the NSC or the Principals Committee. This language would apply to Democratic Presidents and Republican Presidents alike. Our men and women in uniform, our intelligence and homeland security professionals, and our citizens should feel secure in their knowledge that the critical decisions made by the NSC are free from political considerations. The American people deserve a national security policymaking process that inspires confidence, not cynicism.

My bill also contains a second provision. The President's directive prescribes a diminished role on the Principals Committee for the Director of National Intelligence and the Chairman of the Joint Chiefs of Staff. The directive limits their attendance to only those meetings where issues pertaining to their responsibilities and expertise are to be discussed.

While this language is not unprecedented, it has caused concern among many experts of all political stripes, particularly when it is juxtaposed against the decision to give Mr. Bannon unfettered access to the NSC PC meetings.

Accordingly, my bill will express the view of Congress that the DNI and the Chairman of the Joint Chiefs of Staff, given their importance to national security, should have a standing invitation to attend all PC meetings.

I invite my colleagues to support this legislation which seeks to protect the NSC from political interference, and to ensure that the President receives the best possible advice from his national security experts—experts who will recommend actions because they are in the best interest of the American people and not because they are politically expedient.

FAREWELL TO SCOTT GRAVES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I just came back from the organizing committee meeting with my good friend from California for the House Agriculture Committee. I appreciate the opportunity to work with this gentleman and all of the folks who serve on that committee that really provides policy to our Nation's agriculture industry.

It is about making sure that Americans have access to affordable, high quality, and safe food. I actually look at the Agriculture Committee as well as having a dual mission of making sure that the rural economies of our Nation are robust or successful.

Mr. Speaker, I rise to say thank you and farewell to Scott Graves, staff director of the House Agriculture Committee, an individual who served well for many years.

Mr. Speaker, as you know, there is a right way to do business here in the House, and Scott Graves has understood what it takes to manage the Agriculture Committee, the chairman's personal affairs and agenda. But he also has found time to help out members of this committee from both sides of the aisle.

Knowing is one thing; execution is everything.

I have always been impressed with the way we have been able to work on the committee in a bipartisan manner for the good of agriculture, and 320 million Americans have benefited from safety, innovation, and forward thinking of the agriculture industry.

Under Scott's leadership, he made this look easy. Now, as he embarks upon the next step in his career, I wish Scott Graves all the best, his wife, his little boy, and his little one to be born later this year.

The Commonwealth of Pennsylvania has a slogan on every road sign entering the State, and the sign reads, ''You've got a friend in Pennsylvania.'' Well, Scott, you don't have to drive far, but realize this holds true for me and all of my staff, you've got a friend in Pennsylvania.

SNAP HELPS LIFT PEOPLE OUT OF POVERTY

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as chairman of the Agriculture Subcommittee on Nutrition for the 115th Congress, I am confident that we must work to ensure that the Supplemental Nutrition Assistance Program known as SNAP is meeting the needs of those that it is intended to serve.

The House Agriculture Committee hearings have highlighted how nutrition matters and the specific ways that vulnerable populations are well served by a strong, sound, and reliable food program.

SNAP serves a diverse population who share a common need for nutritional support beyond what is available based on personal means, family support, and community resources.

Now, according to a 2015 USDA report, 42.7 percent of SNAP recipients are children, while single parent households are more susceptible to food insecurity, especially those who are single mothers. Two-parent families also struggle, at times, to put food on the table.

Children whose households face food insecurity, face both negative developmental and health consequences.

A child's future success goes beyond what any single government program can or should achieve. SNAP is not the only means of breaking the cycle of poverty, but it certainly plays a key role in increasing food security for children.

Mr. Speaker, for me, SNAP is not merely a food program but a pathway that works to lift people out of poverty. It is a tool for the better health and development of our children who deserve no less.

ALI FAMILY AND EXECUTIVE ORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to call attention to a 12-year-old girl Emon Ali, who is stuck in Djibouti. Emon and her father, Ahmed Ali, who is an American citizen, are in Djibouti because of President Trump's flawed executive order to ban travel to the United States.

The Ali family is like many immigrant families throughout our country, including my own, who came to the United States in hopes of achieving the American Dream.

As Americans, we know that the Statute of Liberty is a symbol of freedom and new beginnings for immigrants past and present, and it is a symbol around the entire world for the values that America holds.

Since the founding of our country, immigrants from all over the world have been coming to the United States to make a better life for themselves and their families, or to escape persecution.

Mr. Ali and his wife immigrated to the United States and earned their U.S. citizenships in hopes of achieving that American Dream.

They had been making a living in my district and are supporting their two daughters in Los Banos, California. But they have also been living in sadness and heartbreak because their 12-year-old daughter, Emon, was born in Yemen before the civil war.

For 6 years, the Ali family has been working through the appropriate channels to get their daughter a visa so she can gain U.S. citizenship and be reunited with her family legally.

On January 26, after years of going through a thorough vetting process, Emon finally received her immigrant visa—after 6 years. You could call that extreme vetting.

One day later, on the 27th, President Trump turned the Ali family's and hundreds of other families' lives upside down by signing an executive order to implement a travel ban to prohibit refugees and others from coming to the United States. That is not the American way.

Hours after this executive order was signed, Emon and her father went to the airport in Djibouti, passed through security, and, when boarding the plane, Emon was told by the airline that she could not board because of the recently signed executive order.

□ 1030

The immigrant visa issued to Emon would have given her status as a lawful permanent resident upon entering the U.S. And since she is 12 years old and both of her parents are U.S. citizens, Emon would have immediately been eligible to file for U.S. citizenship.

President Trump's executive order is preventing this legal process from taking place and is putting Emon and her father in harm's way while they wait in Djibouti.

In the past 48 hours, the Trump administration has been defending this executive order, saying it is not a travel ban or a ban on refugees. So I would like to ask the President: How is this executive order not a ban on refugees or individuals who have been legally approved to enter the United States? It certainly is a ban for Emon. And how is keeping this 12-year-old girl out of the United States from joining her family making America safer? It is not making Americans safer.

Extreme vetting was in place during both the Bush and Obama administrations. We just didn't call it that by name.

This travel ban is flawed, both in its lack of adherence to American values and its technical execution, which is banning Emon from coming here, and it could possibly be ruled unconstitutional.

A bipartisan group of national security experts agree that the executive order does not make Americans safer and could potentially put our country at greater risk for terrorist attacks. I agree with them.

Since September 11, 2001, we have focused a bipartisan effort to improve

American security for Americans both at home and abroad, and by and large, it has been very successful.

It is our first constitutional duty to ensure the national defense and the safety of Americans, but I think President Trump's executive order is doing the opposite. The executive order will create a rallying cry for Islamic extremists around the world to say that America is now engaged in a war against the religion of Islam. No good can come from that. It is clear that this executive order is putting Emon and her father in harm's way in Djibouti.

So, Mr. President, Secretary Kelly, I appeal to your compassion and to your common sense. This 12-year-old girl, Emon, has been extremely vetted for 6 years or whatever you would like to call it. She is not a threat to our country. Let her join her American family.

My staff and I are working diligently through the appropriate channels with the Department of Homeland Security and the Department of State to bring Mr. Ali and his daughter home as soon as possible.

The SPEAKER pro tempore. Members are advised to direct their remarks to the Chair and not to the President.

RECTIFICATION FOR MERRICK GARLAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, in April of 1963, literary history was made when Dr. King published his letter from the Birmingham jail.

In that letter, Mr. Speaker, Dr. King proclaimed: ''Injustice anywhere is a threat to justice everywhere.'' Mr. Speaker, these words were true then and they are true today. Injustice anywhere is still a threat to justice everywhere.

And, Mr. Speaker, when the Republican leadership decided to hold up Merrick Garland, they did more than hold up a nominee. They did more than prevent him from being heard. They did more than approve him such that he could become a Justice on the Supreme Court. They did more than prevent President Obama from having the opportunity to appoint a nominee to the Supreme Court, Mr. Speaker.

When they held up Merrick Garland, they hijacked justice. They hijacked justice and prevented the American people from having the opportunity to hear of the credentials of Merrick Garland so that he could receive just consideration. They didn't have to approve him, but they should have in the sense of justice. They should have given him the opportunity to be heard.

They hijacked justice. When you hijack justice, this type of injustice cannot go unchecked. We cannot allow the legitimization of that hijacking to take place today.

If we move forward with the nominee being proposed by the Republican leadership by the President of the United States, this would be an effort not only to legitimize, it would legitimize the process that they employed to hijack justice.

I refuse to stand with those who would hijack justice. The American people refuse to stand with those who would hijack justice. The American people are demanding that a just system be in place.

The only way a just system can be in place is for what happened to Merrick Garland to be rectified. This is not retaliation that I am speaking of. This is not retaliation. This is rectification.

There has to be rectification for what happened to Merrick Garland, and rectification requires that the Senate take up Merrick Garland. I believe the American people want the Senate to take up Merrick Garland so that he, too, can receive justice; so that this country can receive justice; so that the American people can receive justice; so that they can hear about Merrick Garland's credentials.

Yes, the current nominee has great credentials, but so does Merrick Garland. There are many adjectives that can be used to describe the current nominee, but there are many great adjectives that can be utilized to describe Merrick Garland.

Merrick Garland deserves his day. Without his day, we cannot go forward in a just way. So I encourage the American people to do that which is just; contact those who have a voice in this and say to them: Do not approve any nominee until there is justice for Merrick Garland and justice for the American people, justice for what occurred when they hijacked a nominee to the Supreme Court, hijacked a nomination, hijacked an opportunity. Hijacking cannot be tolerated.

Dr. King was right; injustice anywhere is still a threat to justice everywhere. But he also went on to say immediately thereafter that life is an ''inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.''

This hijacking that took place last year is going to impact all in this country indirectly because every person in this country will be subjected to the rulings of a Supreme Court with a nominee that will have an asterisk by his name because his opportunity exists as a result of a hijacking that took place.

Injustice anywhere is a threat to justice everywhere, and we ought to realize that this injustice cannot be tolerated and must be rectified. It is not retaliation. It is rectification.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the Senate.

DO NOT DESTROY THE AMERICAN DREAM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO) for 5 minutes.

Ms. DELAURO. Mr. Speaker, I rise to share a story that has weighed heavy on my heart.

The President speaks about keeping America safe. He speaks about building a wall. He speaks about deporting undocumented immigrants. His rhetoric of hate and fear is causing millions of families unspeakable pain. This is happening in every community across our country and it is happening in my community.

I want to share a letter I received from one of my office's most dedicated interns one week after the election. This young man was such a positive force in my office. He took on tasks with a smile. He had an insatiable appetite for learning about our government. He was one of the finest interns our office has ever seen.

I was proud to have him to be one of the first people that our constituents interacted with when they contacted our office. But a week after the election, this young man, Sergio, went home. He left me this letter, which I will read to you in its entirety because Sergio tells his own story better than I ever could:

''Dear Representative DeLauro:

''I was honored to intern in your Washington office and learn more about the government of the United States, and more specifically responding to constituents' concerns. Walking through the long tunnels that connect the congressional buildings to the Capitol I began to envision myself working in the District of Columbia upon graduation. But like for many people, the election results have forced me to take a different path.

''After the Presidential election, all the stability that had allowed my family and me to become part of the American life was turned into fear and doubt about our future. Not only has the President-elect vowed to deport millions of undocumented immigrants, but he also promised to remove the DACA program. For this reason, I had to return to New Haven and assist my family as we figure out which decisions are the best to take moving forward. Thus, I am sorry to inform you that I will no longer be able to continue my internship in your Washington, D.C. office.

''I want to express that while I am in constant fear questioning whether I will be able to complete my undergraduate degree, or if my U.S.-citizen sister will be separated from us, I am not giving in. My best memory working in your office was running into an old employer who came to the office for a Capitol tour. Reflecting on the aspirations I had working as a busser to get myself through high school, I remember your persona always providing me with hope. That hope has grown exponentially as I reminisce on the times you walked into the office and greeted all your interns with such gratitude and enthusiasm.

''With infinite gratitude, Sergio.''

How does this promising young man's fear make us safer? How can we stand idly by while his family navigates unspeakable anxiety and pain? How can we live with ourselves if we let these hateful policies stand?

Sergio is a bright young man dedicated to public service, and now he is a young man questioning his future and the future of his family. This story breaks my heart; it should break yours.

President Trump's executive orders are not just anti-immigrant; they are anti-American. Most of our families, including my own, came to this country as immigrants.

My father came through Ellis Island in 1913 as an immigrant from Italy. He was in school, and he had to leave school in the seventh grade as he was 11 years old because his teachers and his classmates laughed at him.

He got himself an education, served his country in the United States military for 8 years, served on the City Council in New Haven, worked as hard as he could along with my mother, whose mother and father came from Italy before her. They scrimped and they saved to give me the finest education. And as an immigrant family, they could only dare dream that I would sit in the United States House of Representatives and be here today.

It is the American Dream. It is what this Nation is all about as we stand under this dome in this building, the seat of our democracy.

Do not let any individual, any political party destroy that American Dream. Our country is made richer by immigrants. We have always welcomed men, women, and children to our shores so that they can build a better life and build a stronger nation.

The President's executive orders are an insult to our country's roots and our values. Instead of uniting us, he threatens to further divide us.

I stand with Sergio and the millions of people like him whose futures are in flux because of this administration's misguided policies.

Do not destroy the American Dream.

NATIONAL CATHOLIC SCHOOLS WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. LIPINSKI) for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, today I rise in support of National Catholic Schools Week and to recognize the outstanding contributions that Catholic schools have made and continue to make to our Nation.

As a proud graduate of St. Symphorosa Grammar School and St. Ignatius College Prep and as a strong supporter of Catholic education, I have introduced H. Res. 57, honoring January 29 through February 4 as National Catholic Schools Week. I would like to thank the gentleman from New Jersey (Mr. SMITH) for working with me on this resolution and on other issues. Following his Catholic faith, Mr. SMITH is one of our greatest defenders of freedom and human rights around the world.

This year marks the 43rd anniversary of Catholic Schools Week. Since 1974, Catholic Schools Week has celebrated the important role that these institutions play in America and their excellent reputation for providing a strong academic and moral education as well as teaching community responsibility and outreach.

□ 1045

This year's theme, ''Catholic Schools: Communities of Faith, Knowledge, and Service,'' highlights the values that are the centerpiece of a Catholic education.

Today, over 2 million elementary and secondary school students are enrolled in over 6,600 Catholic schools. These students typically surpass their peers in math, science, reading, history, and geography in the NAEP test. The same is true for SAT scores. And the graduation rate for Catholic high school students is 99 percent, with 85 percent of graduates enrolling in a 4-year college. As we continually hear disturbing reports about our national test scores, these statistics are truly remarkable and should be commended.

Notably, the success of Catholic schools does not depend on selectivity. These academic achievements are realized by students from all walks of life. Catholic schools accept 9 out of 10 students who apply and are highly effective in providing a quality education to students from every socioeconomic category, especially the disadvantaged and underserved urban communities. Over the past 30 years, the percentage of minority students enrolled in Catholic schools has more than doubled, and today they constitute about one-third of all Catholic school students. In times of economic hardship, Catholic schools can provide an affordable alternative to other forms of private education.

In addition to learning reading, writing, and arithmetic, students also learn responsibility and how to become persons of character and integrity. America's Catholic schools produce graduates with the skills and integrity needed by our businesses, governments, and communities, emphasizing a well-rounded educational experience and instilling the values of giving back to the community and helping others. That is why ''service'' is in this year's Catholic Schools Week theme. My own decision to pursue a career in public service was fostered, in part, by dedicated teachers throughout my formative years at Catholic schools.

I celebrated Catholic Schools Week last week at a number of schools in my district. I visited St. Barbara Grammar School, which is located in the Bridgeport neighborhood of Chicago. I met with Principal Nicole Nolazco and the student council, and I spoke to and took questions from an all-school assembly.

I visited Everest Academy in Lemont, where Principal Lori Broncato and Father Jason gave me a tour of the quickly growing school, and I answered questions from students before the whole school wowed me with an impressive version of the song, ''America.''

Finally, I visited my alma mater, St. Symphorosa, in the Clearing neighborhood in Chicago. I met with Principal Kathy Berry and Father Idzi and spoke to students about my experiences at St. Syms and how my Catholic education made it possible for me to serve in the U.S. Congress.

These are just three of the many wonderful Catholic schools in my district that are part of the Chicago Archdiocese and the Joliet Diocese.

Mr. Speaker, I hope my colleagues will join me in congratulating and thanking Catholic schools across the country, which provide first-class, well-rounded educations and contribute so much to our Nation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

We thank You that we are a nation fashioned out of diverse peoples and cultures, brought forth on this continent in a way not unlike the ancient people of Israel. As out of a desert, You led our American ancestors to this promised land where they declared their independence and constituted a new nation founded upon unalienable rights given to us by You, our Creator.

Bless our Nation with wisdom, knowledge, and understanding, and bless the Members of this people's House. Renew in us the adoption by Your Spirit that we may affirm our freedoms, not only with the conviction in the way we understand others, but in ourselves by actions proven beyond words.

Bless us this day and every day. May all that is done here this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Ms. ROS-LEHTINEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Michigan (Mrs. DINGELL) come forward and lead the House in the Pledge of Allegiance.

Mrs. DINGELL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

UNDOING JOB-KILLING REGULATIONS

(Mr. PEARCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEARCE. Mr. Speaker, many times, people ask me: Just what is it about regulations that kills jobs? That is what we are involved in this week is undoing some of those regulations. I will be introducing one today to unwind a regulation that the BLM recently put into place.

What happened is, over a year ago, for the first time in 40 years, we allowed Americans to export oil. We are diminishing the trade deficits—that is, we are making our economy stronger—by shipping to South American countries and to countries all over the world. It is good for American jobs. Then the BLM comes in and puts in its onshore oil and gas order No. 3 rule, which will make it more difficult for us to produce oil off of public lands. It simply shouldn't be there.

We are introducing legislation today that will reject that as a bureaucratic entanglement of job creation in the country. That is as simple as we could be. We look forward to the support of the Members of the House.

EXPAND AND STRENGTHEN SOCIAL SECURITY

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, this week in 1940, the first Social Security check was issued. Since then, it has been one of our Nation's most impactful and successful programs.

Social Security is based on a simple premise: if you work hard, you should live a dignified retirement. It has been a critical lifeline for America's seniors, tens of millions of whom were pulled out of poverty because of this program.

In order for Social Security to continue to fulfill its promise, Congress and the administration need to work together. I am concerned that the new administration may wish to dismantle Social Security as we know it. The President's choice for Budget Director has a long track record of calling for raises in the retirement age and of lowering Social Security benefit payouts. In 2011, when my Republican colleagues proposed cuts to Social Security, the nominee argued that the cuts were not rapid enough. This is unacceptable.

We cannot afford to weaken Social Security. We should expand and strengthen this program. We need to make Social Security more generous and increase the benefits so that today's and tomorrow's retirees get the dignified retirements that they have earned. This is also good for economic growth, higher wages, higher demand, higher economic growth, and opportunity.

THE ROBESONIAN

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise in honor of The Robesonian newspaper in Lumberton, North Carolina, and their exceptional public service during the massive floods caused by Hurricane Matthew.

Last October, Lumberton was inundated with rain. The water treatment plant was under 4 feet of water; Interstate 95 was shut down; hundreds of homes and businesses were destroyed. The devastation, which I witnessed firsthand, was unbelievable. The Robesonian's own offices were destroyed, and much of the staff suffered personal loss, slept in offices, went without showers; yet the newspaper continued to share vital information online and via social media.

Mr. Speaker, during this emergency, The Robesonian's website and social media were the only way many residents of Robeson County could access updated information on shelters and water distribution.

Thank you to the dedicated staff of The Robesonian for putting the community first and serving with distinction during the Hurricane Matthew floods.

MUSLIM AND REFUGEE BAN

(Mrs. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DINGELL. Mr. Speaker, I rise to give voice to my constituents and their families whose worlds have been turned upside down following President Trump's executive order last Friday, which they feel is directed at Muslims. Since the order was signed, we have been flooded with calls, with messages; and no matter where I am in the district, people are scared and terrified.

I cannot convey to this House enough the feelings of individuals who have gone through a stringent vetting process, who hold green cards, who are official legal residents—in some cases, even citizens—who are afraid that someone is going to knock on their door at 3 a.m. and take and deport them from this country. They are real people.

The Detroit headlines are full today of stories of an Iraqi whose mother died, who had served with the military in Iraq, and was trying to bring his mother back. He is an American citizen. Another is a doctor whose wife is in Qatar and had taken her baby home—both here legally.

We all care about keeping this Nation safe. We also have to protect the fundamental pillars of our Constitution.

MIAMI LIGHTHOUSE DIAMOND ANNIVERSARY CELEBRATION

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to commend the Miami Lighthouse for the Blind and Visually Impaired, an amazing nonprofit service organization which is located in my congressional district, on its recent Diamond Anniversary Celebration of 85 years of service.

The Miami Lighthouse has served south Florida since 1931, offering essential programs and experiences for all of those who have visual impairments.

As a co-chair of the Congressional Vision Caucus, I understand the importance of the mission of the Miami Lighthouse: to provide vision rehabilitation, eye health services that promote independence, to collaborate with and train professionals, and to conduct research in related fields.

Mr. Speaker, organizations like the Miami Lighthouse form the backbone of our civil society.

Congratulations to my dear friend Virginia Jacko and all of the staff and many volunteers of the Miami Lighthouse as they continue their life-changing work into their 86th year.

TRUMP WHITE HOUSE'S POLICIES

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I rise to give voice to millions of Illinoisans who are outraged by President Trump and his disastrous first week in office. He has already managed to achieve a 50 percent disapproval rating. Here is a recap of his first week:

He closed the White House telephone line, has attacked the health of millions of families and started the process to repeal the ACA—something that experts estimate will kill 43,000 Americans a year, has put politicians and politics between women and their ability to make their own healthcare choices.

His Cabinet is stocked with a foreclosure king, a billionaire lobbyist, and someone rejected from the Federal bench for racially charged rhetoric.

He capped off last week with the unconstitutional and un-American Muslim ban that makes us less safe. It was so awful that it achieved bipartisan condemnation. Even our allies are starting to retreat from us. More than a million U.K. citizens signed a petition to keep President Trump from visiting.

As we face new and emerging threats, can we afford to allow this administration to alienate us from long-held allies? Mr. Speaker, it is time to get serious about the Trump White House's policies.

MOMENT OF SILENCE HONORING CHIEF SPECIAL WARFARE OPERATOR RYAN OWENS

(Mr. LAHOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, I rise with a heavy heart to honor Ryan Owens, a Navy SEAL from Peoria, Illinois—my hometown—who paid the ultimate sacrifice for his country over the weekend in Yemen.

Ryan Owens, with his elite counterterrorism unit, SEAL Team Six, was fatally wounded during a night raid against al Qaeda in Yemen. The Department of Defense reported that the raid was a success but that the price was steep.

The Constitution of our great Nation was written in ink, but those principles are defended in blood. This remarkable man's sacrifice is a painful reminder of the immeasurable cost of our freedom and national security and of the dark evil we face as we wage the war against terrorism.

My thoughts and prayers are with Ryan's grieving family this week: his father, his wife, and his children. I pray that they will take comfort in knowing that his death was not in vain and that neighbors, community, and Nation are joining them in mourning his death and in remembering his life. Ryan Owens will be posthumously awarded with the Purple Heart.

Mr. Speaker, at this time, I would ask that the House rise in a moment of silence to pay tribute to Navy SEAL Ryan Owens for his exceptional service to our country.

STOP THE MUSLIM AND REFUGEE BAN

(Ms. PINGREE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE. Mr. Speaker, just hours before President Trump's inauguration, I met a young woman in my district from Djibouti who was named Fozia. Fozia had worked with our military as an interpreter. She came to the United States for the freedom and safety she could not find in her home country; but as a Muslim and immigrant, the rhetoric she heard during the election had made her question whether she was welcome here.

Since President Trump has issued his backdoor ban on Muslim immigrants and a halt on all refugees, I have thought of Fozia often as well as thousands of other refugees and asylees who have undergone arduous journeys and thorough vetting to make Maine their home.

These good people have enriched our State in many ways—raising families and filling a vital need in our aging workforce. They live in New England cities with French names that were built by Irish laborers, reminders of the many generations of immigrants who came here for a better life and who helped make our country great.

President Trump's order is likely unconstitutional, but without a doubt, it is un-American. This Congress is guilty of the same sin if we don't do everything in our power to stop it.

□ 1215

PRESIDENT'S EFFORTS ARE BEING DISTORTED

(Mr. DUNCAN of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of Tennessee. Mr. Speaker, approximately 58 percent of the people in this world have to get by on $4 or less a day. This means roughly 4 billion of the 7 billion in the world are living in extreme or very great poverty.

If we simply opened our borders, probably several hundred million would come here over the next 2 or 3 years. Our entire infrastructure—our schools, hospitals, jails, sewers, roads—in fact, our entire economy could not handle a massive, rapid influx like that.

The American people are the kindest, most generous people in the world. We have allowed far more immigration than any other country over the last 50 years—many millions. No other country has even come close. But we must enforce our immigration laws.

The great majority of the American people want border security. President Trump's immigration order was not a Muslim ban. It did not even apply to 9 of the 10 largest population Muslim countries.

The President's efforts are being completely distorted. He is simply trying to do what the people want.

TRUMP'S IMMIGRATION POLICIES POPULAR

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, for days the media has saturated the news with stories savaging President Trump for his immigration executive orders.

The President wants to protect Americans by temporarily halting the admission of refugees from seven countries considered security threats to the United States.

Despite the media's heavily biased coverage, the American people still agree with the President. A USA Today poll found that 53 percent support ''registering immigrants from Muslim-majority countries.'' Only 41 percent oppose it.

Even the poll was slanted against the President. The question asked implied that all Muslim-majority countries were affected, which is not true. It also used the word ''register,'' which has negative connotations and besides is not accurate.

A more factual question that inquired about stricter vetting of refugees from the seven countries that pose security risks likely would have garnered even more support for the President's executive actions.

The media did everything they could to turn the public against the President, but it didn't work. The American people are smarter than the media thinks.

REPEAL OF MEDICAL DEVICE TAX

(Mr. BANKS of Indiana asked and was given permission to address the House for 1 minute.)

Mr. BANKS of Indiana. Mr. Speaker, I rise today to urge my colleagues on both sides of the aisle to support a permanent repeal of the medical device tax.

The more than 7,000 medical device companies in the United States contribute hundreds of billions of dollars to our economy every year, employing over 400,000 Americans, and creating lifesaving technologies that benefit patients around the world.

Many of these device manufacturers are based in my district in and around Warsaw, Indiana, and we are proud that Warsaw is often called the orthopedic capital of the world.

The vast majority of medical device manufacturers employ fewer than 50

people, with many generating little to no sales revenue. This is what makes the potential reinstatement of the 2.3 percent excise tax on medical device sales so harmful. This misguided tax would subject the medical device industry to one of the highest corporate tax rates in the world and eliminate thousands of jobs.

Repealing this tax has broad, bipartisan support in both Chambers of Congress, and I urge my colleagues to make eliminating this tax a top legislative priority in 2017.

RECOGNIZING CHANCELLOR KEITH CARVER

(Mr. KUSTOFF of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today to recognize Chancellor Keith Carver and celebrate his appointment as chancellor of the University of Tennessee at Martin.

I have known Keith Carver for more than 30 years, and I could not think of anyone more deserving of this prestigious role. We met during college at the University of Memphis. And during that time, I was always impressed by his energy, his creativity, and his focus. Most importantly, he was and certainly still is an incredibly strong leader; and that is the most important part.

I believe that Dr. Carver is the right person at the right time—a time when this university needs strong, responsible leadership.

I am so excited for the town of Martin, for the University of Tennessee system, and the entire Volunteer State in this prosperous new era under Dr. Carver's strong leadership. I can't wait to see what great things we can accomplish together.

PROVIDING FOR CONSIDERATION OF H.J. RES. 41, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SECURITIES AND EXCHANGE COMMISSION, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 40, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SOCIAL SECURITY ADMINISTRATION

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 71 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 71

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 41) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to ''Disclosure of Payments by Resource Extraction Issuers''. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 40) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BUCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of the rule and the underlying resolutions.

Before us is a resolution of disapproval that restores constitutional rights and empowers individuals with disabilities. Many of us know someone who struggles with a disability. We know friends or family who have mental challenges. We know these people, and we know they deserve the same constitutional protections as everyone else.

That is why this resolution is so important. It ends discrimination against individuals with disabilities. It restores due process rights. It keeps the Social Security Administration focused on its duty.

Mr. Speaker, the Obama administration's last-minute regulation to strip disability benefit recipients of their constitutional rights is deeply troubling.

The regulation at hand declares that just because an individual needs assistance in managing their disability benefits, they are also unfit to own a firearm. But this kind of thinking is discriminatory, forcing those with disabilities to choose between their constitutional rights or their disability benefits turns back the clock on disability rights.

This regulation singles out a single constitutional right to strip away from a group of Americans. It doesn't make sense.

Why take away one right and not others? Why not also strip those citizens of the right to vote or the right to trial by jury or the right to free speech?

In this country, your rights can't be limited without due process, but this regulation limits a constitutional right and only offers the recourse of appeal after the decision has been made. When it is easier to have your rights stripped away than to have them restored, it means your due process rights have also died in the process.

Mr. Speaker, this resolution restores the due process rights of individuals with disabilities. This resolution also refocuses the Social Security Administration. The agency's job is to administer benefits to Americans, not adjudicate cases concerning constitutional rights.

Mr. Speaker, I am also worried that this regulation will divert precious Social Security Administration resources from vital agency tasks. We trust the agency to fulfill our commitments to seniors and those with disabilities. This regulation distracts from those sacred promises.

I thank Mr. JOHNSON and my colleagues for their hard work on this resolution. We need to pass it.

Mr. Speaker, we also need to pass the joint resolution of disapproval for the Dodd-Frank section 1504 regulation. This resolution restores competitiveness to American energy companies. It allows American companies to comply with foreign and domestic laws, and it protects American workers abroad.

Section 1504 of Dodd-Frank requires companies to report their payments to our government or foreign governments related to oil, natural gas, and mineral extraction. After reporting this to the SEC, the agency publishes these disclosures. This process is costly and unfair to American businesses.

By forcing disclosure of project-level sensitive business information, American energy companies will face a disadvantage against government-owned energy companies. Since government-owned companies control three-quarters of the world's oil supply, this regulation could drastically impair the competitiveness of American companies. And the actual cost of compliance limit, estimated by the American Petroleum Institute to take 217,000 employee hours over a 3-year period, would be devastating.

Section 1504 must also be rolled back because it might force American companies to break the law of foreign countries. Some foreign nations prohibit the very disclosure requirements

required by this SEC regulation. Our companies should not have to decide between following the rule of law here and following it abroad.

Finally, by forcing such detailed and specific disclosures to the public, section 1504 could make energy extraction sites prime targets for terrorists. Whether in the U.S. or abroad, we need to wisely protect American workers from terrorism and other threats.

Mr. Speaker, this resolution restores competitiveness to American companies, allowing them to contribute to the global energy economy in a safe, secure, and legal manner.

It is time for Congress to reassert its authority and fix this poorly implemented legislation.

I commend the work done by Representative HUIZENGA and my colleagues on this important resolution, and I urge its passage.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. I thank the gentleman from Colorado (Mr. BUCK) for extending me the customary 30 minutes.

Mr. Speaker, we are only one month into 2017; and today we have another closed rule or, as I call them now, Putin rules. This is the kind of process they have in Russia: no amendments, no debate, no nothing, completely shut down. It is your way or the highway.

This is not the way the United States House of Representatives, the greatest deliberative body in the world, should be run. This is shameful. I have very serious concerns about the road that we are traveling down, Mr. Speaker.

The 115th Congress is only a few weeks old, and we have already ushered in a process that is alarmingly restrictive. Sadly, it has become routine in this Republican House for the majority to close down the process, rush bills through the House without regular order, enforce the rules for Democrats but not for Republicans, and insist on spending all of our time on partisan legislation instead of working together to find bipartisan compromises and solutions to the real problems facing American families and workers.

Mr. Speaker, today's legislation makes clear that the Republicans are eager to repeal protections put in place to help the American people. We should be working to expand opportunity for hardworking families and strengthen safeguards to put the American people first, not corporations, not wealthy CEOs, not big donors, and not special interests, but the people ought to come first.

□ 1230

Today is another sad day. We are engaged in what I would call mindless legislating. While my Republican friends say they want to repeal needless regulation—something that we all want to do—the process my Republican friends have embraced, to put it gently, is reckless. No matter what you think of a particular regulation, or rule—or, in many cases, they are protections—no matter what you may think of a particular regulation, there is no denying that these rules that my Republican friends are bringing to the floor to repeal went through a vigorous process that took months and months, and even years to complete.

They went through agency review. They went through a lengthy comment period, oftentimes thousands, if not tens of thousands, of people weighed in on the pros and cons of a particular idea. But the idea that we would just erase them with the blink of an eye, no hearings, no markups, nothing, it is a mindless way to legislate and a disturbing way to govern.

The ''act first and think later'' approach was on full display with President Trump's Muslim ban. It was so hastily enacted that his own Secretary of Homeland Security didn't even know that the President was signing the executive order until he saw it on cable news. The Trump White House did such a poor job of briefing the Federal agencies charged with enforcing the policy that airports across the country were caught completely off guard, and there was widespread confusion and chaos about how to carry it out.

That is what happens when you don't embrace a process that is thoughtful. You get confusion, you get chaos, and you usually get bad policy.

The mindless approach to governing by Republicans continued this week. On Monday, President Trump announced that, for every new regulation passed, two regulations must be repealed. That is it. No details on what kind of regulations would be repealed, or why they would be repealed. This is a blind shotgun and arbitrary approach to our Nation's laws. We shouldn't be dumbing down the way we govern. The American people deserve better from their leaders in Congress, and I think they deserve better from their leaders in the White House.

Now, when this legislation came before the Rules Committee the other night, there were plenty of questions. The hearing went on for a long time. Lots of the questions came from my Republican friends. And I will tell you, the chairman's answers were not always that enlightening. I think maybe some more hearings would have helped. But in response to some of these objections, namely, did the bill undergo any review by a committee, one of my Republican friends—and it may have been the gentleman from Colorado—said: We don't have time. We don't have time for hearings. We have so many regulations that we want to repeal.

Don't have the time for a hearing? Don't have the time to understand what we are doing? I thought that was part of our job. We were supposed to deliberate. We were supposed to read the bill. We were supposed to understand the impact of the actions that we may or may not take in this Congress. That is our job.

The American people have given us the responsibility to take the time to do our job right and to carefully consider the laws we pass. To say that we don't have time for hearings and deliberation—never mind, we don't have time to allow an open process where people might want to offer amendments—is ridiculous. It is shameful. And I will tell my Republican friends, stand up to your leadership on this. This is not the way this House should be run.

So as we consider the repeal of the NICS rule, we should remember that Congress has failed to take any meaningful action on gun violence at all. We have massacres on a regular basis in this country. All we do is we have a moment of silence. That is our response. We have a high rate of suicides in this country due to gun violence. It is something we ought to talk about. And I think that the NICS rule is a commonsense, responsible gun safety measure that could potentially save the lives of thousands of people in this country. I think Congress has the responsibility to keep our families safe, not remove safeguards that help prevent gun violence.

Far too many have lost their lives to preventable gun violence. This rule is intended to keep firearms out of the hands of those suffering from severe mental illness. That is a commonsense idea that I think we all should agree on. In 2007, President George W. Bush signed a bipartisan bill to identify individuals ineligible to possess firearms because of severe mental health issues. This rule allows for a reporting method to ensure that the law is implemented effectively.

It is intended to save lives. Every year in the United States, more than 21,000 people kill themselves, and mental illness is also an important factor. A gun is used in the majority of these cases. The people listed on NICS are the 75,000 dealing with the most severe mental illnesses. These are people who need help, not access to a dangerous weapon like a gun.

I think this rule is a critical step, but we must close the online gun show loopholes, and we must ensure universal background checks. I think we ought to bring to the floor a bill that says that if the FBI and our security agencies have put you on a terrorist watch list and think that you are too dangerous to fly on an airplane, then you ought not to be able to go out and buy a gun.

But under the way this House is run, we can't even bring those things to the floor for a debate. The Republican leadership and the Republican Rules Committee blocks it so that there can't be real deliberation on the House floor.

When people ask me all the time, Why can't you have a debate on this, or why can't you have a vote on it, I have to explain that the House Rules Committee, run by nine Republicans, says

no to everything, says no to every idea that they don't absolutely embrace. And that is not the way Congress should be run.

Mr. Speaker, even if you disagree with me on the value of this rule, I think it is an important enough issue that there ought to have been a hearing. There ought to have been that opportunity to deliberate and to talk about it and what the impacts are. But no, nothing. We don't have the time. So here we are.

Mr. Speaker, the other bill before us is a naked attempt by Republicans to undo anticorruption rules. The rule that they are so upset about would require energy companies on the U.S. stock exchange to disclose payments they make to foreign governments for access to their natural resources.

Now, there are reasons for this. It is important that there be transparency. We heard all about the plans to drain the swamp, but President Trump and the Republicans are doing all they can to turn the swamp into a cesspool.

Putting aside all of his conflicts of interest that, I think, are on a collision course with corruption, I mean, repealing things like this, is just a bad idea. The Republicans in Congress are trying to roll back regulations like this one that are aimed at increasing transparency and fighting corruption.

ExxonMobil heavily lobbied against this rule. And now, with former ExxonMobil CEO Rex Tillerson on the cusp of becoming our country's new Secretary of State, Republicans are proposing to kill this anticorruption rule that benefits Big Oil. That is reckless, and it is irresponsible.

When this rule was enacted as part of the Dodd-Frank bill in 2010, the Big Oil lobbies strongly fought against it in court, but Congress fought back to assert America's traditional role as a global leader in fighting corruption. American leadership delivered results. The European Union promptly moved to enact nearly identical legislation, as did Canada with support of its global mining companies.

But now, Big Oil is back seeking repeal of the rule so their payments can be kept secret from the American people. They claim they will be at a competitive disadvantage to foreigners, or they will have to reveal commercially sensitive information.

But with Europe and Canada in the same disclosure system, the playing field is now level and the companies already filing have suffered no commercial harm, nor revealed vital secrets. The fact is, this won't cost a single American job, and the only thing oil companies will need to do differently is report their numbers.

Aside from Big Oil, those most eager to repeal this rule are autocrats in places like Russia, Iran, and Venezuela—with oil wells, gas fields, or copper mines—who want to keep the money secret from their citizens. Why should we do their bidding? Why should we be in league with them?

On top of that, this rule is our most affordable and effective way to fight corruption abroad. We cannot afford to betray our own principles and severely undercut our allies in Europe and Canada. It would cost countless lives over the long run and endanger our security. We need to put American interests first, ahead of the special interests, ahead of the corporate interests, and retain that important rule.

Obviously, I urge my colleagues to vote ''no'' on the repeal of these two rules, but you got to do what you got to do. But I urge you to vote ''no'' on this rule.

And I ask you to vote ''no'' because it should be a principle vote.

This place is becoming so closed up, so restrictive, that this is not a deliberative body anymore. We are not talking about things anymore. It is basically whatever the leadership wants, whatever Donald Trump wants, you bring to the floor, rubber stamp it, and that is it.

I don't care what political party you are in, nobody who got elected by the people of this country should stand for that kind of process.

With that, I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

I appreciate my colleague from Massachusetts raising the issue of a thoughtful process and whether this legislation was rushed to the floor.

I think it is worth noting that the original legislation, which this rule seeks to amend, became law in a time when my colleague was in the House and his party was in the majority. The NICS Improvement Amendments Act of 2007 was introduced in the House on June 11, 2007.

The bill was moved by Congressman CONYERS under suspension of the rules and passed by the House on June 13, 2007. There was no markup in the Judiciary Committee. There was no meaningful debate on the floor. The bill was rammed through the House in 3 days without any thought to the potential consequences of its passage. It passed the Senate by unanimous consent.

I did not see others standing up to leadership at that point in time. In its implementation, we are seeing the consequences. They involve the stripping away of constitutional rights and due process rights. They involve the elimination of due process rights. They involve discrimination against individuals with disabilities.

As for the point that this rule that we are now debating somehow encourages corruption, the fact is that this regulation puts U.S. companies at a competitive disadvantage to state-owned entities abroad that are not subject to SEC regulation.

Additionally, it costs hundreds of millions of dollars in compliance costs for U.S. businesses. The Foreign Corrupt Practices Act already prohibits bribes to foreign governments to obtain or retain business. These are legitimate payments being made to foreign governments, the payments that we are discussing here, and we should still prosecute any corruption to the full extent of the law.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

With regard to the NICS bill, I have a very different version of history than the gentleman does, including one that represents a bipartisan compromise with the Bush White House.

So I have a very, very different recollection of history than he does on that. And on the other bill, it is all about corruption, and it is all about giving Big Oil what they want.

At the end of the day, the two interests that are most happy with the repeal of this rule are Big Oil and Russia. And if that is where we believe that we ought to be using our energy to help then go ahead and vote to repeal it. But again, I think that this process speaks for itself.

Mr. Speaker, I am going to urge my colleagues to defeat the previous question, and, if they do, I will offer an amendment to the rule to bring up Representative LOFGREN's bill to overturn and defund President Trump's immoral, unconstitutional, and discriminatory executive order banning Syrian refugees and suspending immigration from certain countries.

President Trump's executive order flies in the face of our Nation's values. It compromises our national security by providing terrorist groups with a recruiting tool. This executive order needs to be overturned, and, if we defeat the previous question, we will bring up legislation to do just that.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from California (Ms. LOFGREN) to discuss our proposal.

Ms. LOFGREN. Mr. Speaker, I urge Members to vote against this previous question so that the bill to overturn President Trump's ill-advised ban on travel can be addressed.

□ 1245

There has been a lot of dustup and discussion about this, but, really, if you read the order, it is very clear what it does. It suspends entry for 90 days of all immigrants—that is green card holders—and nonimmigrants from seven Muslim majority countries. It also suspends all refugee admission for 120 days.

Now, there has been discussion about the Middle East refugees, but if you look at last year, most of the refugees who came in were from the Congo and

also from Burma. Those individuals who have suffered—they have been tortured—are going to stay in the refugee camps at least for 120 days, and, obviously, this disrupts the program. This will be a much longer end to the refugee program.

Now, there is an exception, and the President has said he wants to let Christian refugees in, and the order itself says minority religions. There is a problem not only with violating the law because the Immigration and Nationality Act prohibits discrimination based on nationality and on religion, but also the premise is that Christians who had been persecuted were not admitted as refugees. That is simply false. That is false. There were large numbers of refugees who have been persecuted, including Christians. This order violates the Immigration and Nationality Act. It also violates the Constitution. That is why my bill should be brought up.

I am going to give you just two examples. One is General Talib al-Kenani, who is an Iraqi four-star general who is commanding an elite, American-trained counterterrorism unit that has led the fight against ISIS for the last 2 years. His wife and children were moved to the United States because staying in Iraq was too unsafe for them. He is now unable to visit his family in the United States. He told CBS News: ''We thought we were partners with our American friends, and now we realize we are just considered terrorists.''

How does this help the fight against ISIS?

I want to give you another example. Remember the Yazidis? The Yazidis were being persecuted by ISIS. We remember that they had been isolated at the top of a mountain in Syria; and when President Obama was in office, he acted. We bombed ISIS and we saved the Yazidis. This is what President Obama said: ''When we have the unique capabilities to avert a massacre, then I believe the United States of America cannot turn a blind eye. We can act, carefully and responsibly, to prevent a potential act of genocide. That's what we're doing on that mountain.''

I mention this because there is an individual, a Yazidi woman, who had been the only Yazidi person—woman—in the Iraqi parliament, Vian Dakhil. One week after the President's announcement, she was injured in a helicopter crash during a mission to deliver humanitarian aid to the Yazidis who were trapped in the siege by ISIS. She has received awards in London, in Dubai, in Vienna, and in Geneva for her human rights work. Ironically, she was supposed to come to Washington, D.C., next week to come to the U.S. Capitol to receive an award from the Tom Lantos Human Rights Commission. Now, we remember our late colleague, Tom Lantos, the only Member of Congress who survived the Nazi concentration camps, and we have established this humanitarian prize in his memory. This valiant woman now can't come to Washington, to the U.S. Congress, to receive the Tom Lantos Human Rights Prize because of President Trump's ban on individuals coming from Syria.

This is a ridiculous situation. It is illegal, it is unconstitutional, it is contrary to American values, and it doesn't make any sense. So I would hope that we can defeat this previous question and that we can do something responsible: stand up for the rule of law, stand up for the Constitution, stand up for common sense, and overturn this executive order.

Mr. BUCK. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Does the gentleman have any other speakers?

Mr. BUCK. I am waiting for one. I do not have a speaker now, but the gentleman's eloquence would be welcome at this point and any way that the gentleman would like to inform us on important issues.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, as my distinguished colleague, Ms. LOFGREN, stated, we want to defeat the previous question because we are horrified, quite frankly, by the impact that President Trump's executive orders on immigration have had on a lot of good, decent people, many of whom have already been vetted. We have students who have been held up who have student visas, we have dual citizens who have been caught up in this mess, and we have people coming to get human rights prizes. I could go on and on and on, but we need to correct this. We are better than this.

I would suggest to my Republican friends, rather than circling the wagons to try to defend the indefensible, they ought to join with us and defeat the previous question so that we can actually do the right thing and overturn this narrowminded, misguided, and discriminatory policy.

Mr. Speaker, I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I am pleased to join my colleagues, the gentleman from Massachusetts (Mr. MCGOVERN), who sits on the Rules Committee, and Mr. BUCK, who is handling, I think, his first rule as a member of the Rules Committee today. Mr. BUCK is from Windsor, Colorado. He is a second-term Member and is doing an awesome job not only on his homework duties of recognizing how important it is for Members to understand what we are talking about and why we are doing things, but also enunciation of rules that we are talking about that were promulgated by an administration.

Mr. Speaker, what we are really here today to talk about is there are some of those rules and regulations where perhaps you didn't go through the process that you should have or where there was really a determination made by the American people that rulemaking goes too far. That is why we are here today.

We are here today because there is a group of rules that were promulgated that don't work and that did not really see, in our opinion, the balance of what was going to be in it for the American people. So, in particular, we are here to talk about a Social Security rule that discriminates against individuals with disabilities by denying them their constitutional rights.

The gentleman, Mr. MCGOVERN, spoke very clearly about a meeting that we had at the Rules Committee. I think that the witnesses that we had were very specific and that they questioned—including Mr. BUCK, who was most active in his participation in the hearing—to work through the rule that is promulgated but doesn't make sense when you evaluate it. The administration chose to, I think, without due process, take away from a person based upon a disability that had nothing to do with their ability to effectively control a weapon, but based upon other criteria and to take away a person's Second Amendment rights.

We oppose that. That is one of the reasons why we are here today. This rule that we are going to take away wrongly discriminates against those receiving disability benefits and, I believe, falsely promulgates a stereotype against individuals with mental illness, calling them dangerous. There are people who do have mental illnesses, there are people who are struggling in life, and there are people who need help and seek help; but that is not a criteria for taking away a person's constitutional right.

We are joined in what we believe by the National Council on Disability. This is what they said in a letter that they sent that was dated January 24 of this year: ''There is, simply put, no nexus between the inability to manage money and the ability to safely and responsibly own, possess, or use a firearm. This arbitrary linkage not only unnecessarily and unreasonably deprives individuals with disabilities of a constitutional right, it increases the stigma for those who, due to their disabilities, may need a representative payee. . . . ''

So what happened is the rule by the administration linked together these characteristics that they think identify a person as being a risk so they take away their constitutional right. We couldn't really relate to anybody that had done this, but it simply sounded like a good idea, I am sure, to people, and so they did this.

Mr. Speaker, we are not trying to right all wrongs at the Rules Committee, but when you take away somebody's constitutional rights and take advantage of a person because of their disability, I don't think that is fair.

I am proud of what Mr. BUCK is doing here. I am proud that we stood up on this issue, and I am pleased to be on the floor not only to support Mr. BUCK,

but people who also live in the congressional district that I represent in Dallas, Texas. I have received several calls from people. While I will not say their names, they live in Dallas, Texas; Garland, Texas; Wylie, Texas; and Rowlett, Texas; and they are worried about their ability to lose their constitutional rights simply because they have some help in managing their affairs but not related to a constitutional right of owning a weapon.

So I am pleased to do this. There is no grandstanding necessary. There is an understanding of some things that can be written properly and some things that can't, and I simply think they got it wrong, and that is what we are going to do here today. I thank the gentleman, Mr. BUCK, for allowing me the chance to speak on this important issue.

Mr. MCGOVERN. Mr. Speaker, I ask the gentleman from Colorado if he has additional speakers or is that the speaker we were waiting for?

Mr. BUCK. Mr. Speaker, I have a few comments before I close, and then I would like to recognize the chairman for additional comments.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the chairman of the Rules Committee for being here today and just reinforce some of what the chairman had to say.

As I travel Colorado, I hear from individuals of all walks of life about the regulatory burdens that they face, the burden that has been placed upon them by their own government and how those burdens have impeded their life, liberty, and certainly pursuit of happiness. Small-business owners who would not open their business today because of the change in the business climate find that their tax burden, their regulatory burden, and the attitude of Federal regulators is such that they would choose a different path had they had to do it all over again.

I talked to school administrators who are, again, facing a pile of paperwork to comply with school and nutrition requirements that have been promulgated by this previous administration.

□ 1300

I talk to veterans who have to wait on long, long lines and fill out ridiculous paperwork because the Veterans Administration is unable to recognize the necessity, the importance of what those veterans are trying to accomplish at the VA. I am deeply concerned about the regulations, and I am proud that my colleagues have decided to address some of these regulations in the way that they have. I appreciate the chairman standing up on this issue.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Massachusetts not only, once again, for being here, but for responsibly standing up for his party and the things which they not only have a right to bring to the floor, but an opportunity for him to discuss those things as he chooses to justify the rules that we are going to not only discuss their merits, but to really ensure that the American people understand why we believe that these rules that were promulgated need to be overturned.

Mr. Speaker, the second joint resolution that was included in Mr. BUCK's rule is a resolution that discusses the Securities and Exchange Commission related to what is called disclosure of payments by resource extraction issuers.

My gosh, what does that mean? Well, we understood the previous administration is anti what they call Big Oil. They are after anybody that is in the oil business. You and I both understand that our country and the world is stronger because we don't freeze to death in the winter and we don't get too hot in the summer because we have available energy at a great price.

But it means that companies in the United States also go around the world to find other places where they may extract oil or resources related to energy, and the Securities and Exchange Commission published in the Federal Register, on July 27, 2016, a rule that would place American companies—and only American companies—that extract valuable resources—meaning energy—from other places in the world and that they would have to publicly disclose arrangements and deals that they make related to them buying these resources.

The Securities and Exchange Commission understands already the rules that are on American companies, including a rule that we know as the Foreign Corrupt Practices Act, which means that an American company cannot go overseas and induce through bribing someone to do something. But now, in order to stop these companies—many of them large companies, many of them medium-sized companies, but their nexus is that they are energy companies—they are going to require in this rule that that company tell everybody, including competitors, what the deal might be that they got. So a private contract that might be between a country, a company, and an American company is now going to see the light of day.

Mr. Speaker, I think that is wrong. Fortunately, so does my party. We think that is wrong, because it unnecessarily puts U.S. companies at a competitive disadvantage to many state-owned competitors around the world who are competing, many times, for the same resources.

In other words, we just told them what the deal is—how much money, what the arrangement is, how it might be concluded—and that is a violation, in my opinion, of not only the power that the SEC has, but I think it is unwise. I think it is blatantly unwise that we would unearth contracts from the free enterprise system while, at the same time, knowing they have to follow the rules of engagement, meaning the rules under the Foreign Corrupt Practices Act, at the same time.

So, Mr. Speaker, what we are here to say is that we believe that these agencies are trying to harm America's opportunity to go and seek out good deals, better deals, and to find long-term contracts around the globe, wherever they might be, and that they have singled out energy companies, that they have gone out of their way in what was known as the Obama administration to single out energy companies because they don't like energy deals.

Mr. Speaker, what has happened as a result of not only this, but legislation that the Congress has done on December 18, 2015, is we changed the Federal law related to the export of U.S. energy. Before, there was a provision, some 40-year-old provision, that did not allow energy from the United States to be sold overseas. Once we did that, it completely turned the market upside down. So what might be deals then and deals now are in the best interest of consumers instead of what might be OPEC or a few other energy-rich countries.

We think that what this was done for was to punish those companies that can go find better deals by telling everybody what happened—but it was mostly done to punish—and it put us at a disadvantage.

We are here on the second part of this joint resolution to say that the rule that was promulgated on July 27, 2016, is bad for America, is bad for consumers, and most of all, it is bad for America to have rules and regulations that take away the power of a private contract.

We stand up and say: What are we going to do about it? We are going to go through the deliberate action that was taken not only at the White House, but was taken on the floor of the House of Representatives so that we have our say in the matter on rules and regulations.

Mr. Speaker, I would advise my colleague, Mr. BUCK, that there is a person who heard this debate going on and has come to the floor. I don't know if he would choose to yield time to the gentleman from Kentucky (Mr. MASSIE), but I have been told that Mr. MASSIE would like to help me along on some of my comments because of his excitement about what this rule does.

Mr. BUCK. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. HULTGREN). The gentleman from Colorado has 7½ minutes remaining. The gentleman from Massachusetts has 9¾ minutes remaining.

Mr. BUCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Mr. Speaker, I thank my colleagues, SAM JOHNSON and

RALPH ABRAHAM, for sponsoring this joint resolution. I would also like to point out that my colleague from Colorado is a member of the Second Amendment Caucus, and he has been working hard on this issue.

H.J. Res. 40 would strike down a rule that was finalized by the Social Security Administration just days before the close of the 114th Congress. This rule is yet another example of the previous administration's last-ditch efforts to attack our Second Amendment rights.

Any attempt to curtail the right of Americans to defend themselves and their liberty is untenable. This scheme is particularly appalling because of whom it targets and how the administration sought to implement the rule.

The rule targets our grandparents, our elderly mothers and fathers who have been awarded disability benefits and have had a family member or guardian appointed to handle their finances. They haven't committed a crime or demonstrated that they were a danger to society. There is no trial, no presumption of innocence. Their names are sent to the NICS database and their firearms are taken away, their right to own a firearm.

Hardened criminals don't have their rights violated to that extent without due process, so why would it be acceptable for our seniors?

These men and women have worked hard to raise families, worked a job, and paid their fair share of taxes. Now they are being told that, in order to receive their Social Security benefits, they must first surrender the fundamental right to defend themselves. Is this the level of pettiness to which we have sunk?

The House and the American people have soundly rejected gun control in all of its forms year after year; yet this last administration bypassed the legislative process, imposed a rule, and completely disregarded due process in order to strip seniors of their constitutional rights. Our seniors deserve better than that.

This rule is not about protecting anyone. This rule should be seen for what it truly is: awful, politically motivated, and a dangerous infringement on our Second Amendment rights.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I am not sure where to begin, because I have heard so many fascinating things here today.

The distinguished chairman of the Rules Committee said we are here today to enunciate the rules. I don't know what there is to enunciate. The only thing to enunciate is this is a closed rule. It is yet another closed rule. There is no opportunity to have any real deliberation, no real discussion. On top of that, there were no hearings on any of this stuff.

No matter what your position is, I have to be honest with you, listening to the gentleman, Mr. MASSIE, just speak, I think it would have been nice if the Judiciary Committee could have actually had a hearing on this and maybe delved into some of the issues that the gentleman raised.

When people say that there is no due process, I would remind them that, under the rule, impacted beneficiaries are notified that this determination is being considered and they are provided a process to challenge that determination. Should the Social Security Administration determine that that recipient is able to safely use or possess guns, rights are restored and the person's name is removed from NICS. That is what it says.

Now, if there is a way to improve this, I am all for improving it; but by passing this measure here today, you prevent the agencies that are impacted here from ever being able to revisit the issue unless Congress deemed it appropriate.

So we are not trying to fix anything here. Basically, what we are doing is the bidding of the National Rifle Association to eliminate anything aimed at protecting people from gun violence in this country.

The gentleman from Colorado talked about the fact that his constituents want the right to protect their rights for life, liberty, and the pursuit of happiness. Well, my constituents want that, too, but they have a right to not have to be victims of gun violence. They have a right to protect their loved ones who may use a weapon against themselves or their family members.

But again, we can have this argument on whether or not we should do more—and I believe we should—to protect people in this country from gun violence, but that discussion ought to have happened first in the Judiciary Committee, at a minimum, not in the Rules Committee. I am on the Rules Committee. I admire the intellect of everybody on the Rules Committee, but our expertise is not on judiciary matters.

Similarly, on the other rule that is being repealed, the Financial Services Committee should have deliberated on that. I think there are some serious issues raised by repealing that rule, issues that I think go to the heart of corruption not only here in the United States, but around the world.

When the chairman of the Rules Committee got up and gave his description that somehow the U.S. oil companies are only being singled out, it makes my case why we should have had a hearing. What he just said, in my opinion, does not reflect reality.

The fact of the matter is, I looked at section 1504 of Dodd-Frank. It doesn't just require all extractive companies in the U.S. It says that all extractive companies, U.S. and foreign, listed on the U.S. exchanges are to publicly disclose the payments they make to governments for oil, gas, and mining resources.

□ 1315

And then, on top of that—and I said this earlier—is that other countries have followed suit. Canada and the European Union and Norway have all passed similar laws. It is not just the United States being singled out. That is just wrong. Maybe, if we had a hearing in the committee of jurisdiction, that would have been clear, and this wouldn't be a point of contention.

The fact of the matter is, it is a simple reporting requirement. It places no limits or restrictions on who companies can pay money to or how much or for what. It has absolutely no regulatory effect on any aspect of their business operations. There is absolutely no benefit to nullifying this commonsense law unless your objective is to make it easier for corrupt elites to steal money. The rule has no regulatory impact on business operation and does not define illegal or improper payments. It is a simple reporting requirement.

There is a problem with corruption, especially in places like Russia. Now, I know with the new administration, Russia is now in, and we are all supposed to say nice things about Russia. But Russia has a terrible record on human rights, and Russia has a terrible record when it comes to corruption, and we know that. We ought to not just cave to everything that Russia wants, and Russia and Big Oil want this repealed.

So I would say to my colleagues that we can argue about the merits of all of this, and that is fine, but I go back to my original point. This is the rule, and the Speaker of the House talked about the importance of regular order. I have heard my colleagues talk about the importance of regular order. We don't have regular order. You are all out of order. We end up coming to the floor with legislation that is always under restrictive processes, and most of the time now, in this new Congress, completely closed rules. That doesn't just disadvantage Democratic lawmakers who may have some ideas or may want to raise some issues, it disadvantages Republicans who may want to come to the floor with thoughtful ideas.

I urge my colleagues to absolutely vote ''no'' on this rule because, again, we are getting into this habit where it is closed, closed, closed, closed, closed, and it undermines the integrity of this House of Representatives. It really is shameful.

Finally, I will urge my colleagues to vote ''no'' on the previous question so that we can have a debate and a vote on overturning President Trump's awful, discriminatory executive orders on immigration. It jeopardizes our national security. It was carelessly implemented, carelessly put together. It is shameful. It is unconscionable that we are confronted with the mess that we are confronted with now.

I know it is uncomfortable to talk about issues that impact the new President who is of your party, but this

is absolutely the right thing to do. And if you want to vote no on these things, vote no on them, but allow us to have the debate and allow us to have the vote. I urge ''no'' on the previous question and ''no'' on the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself the balance of my time to close.

I thank the gentleman from Texas and the gentleman from Kentucky for their remarks, and I appreciate the insightful remarks from the gentleman from Massachusetts. I am troubled right now. I am struggling to remember—as the gentleman describes Russia with its terrible record on human rights, I am trying to remember exactly who it was who had the reset button with Vladimir Putin, and I don't think it was the Trump administration. I could be wrong.

Mr. Speaker, America has come so far in advancing the rights of those with disabilities. We have also fought long and hard to protect our constitutional rights. The rule before us achieves both of those ends. The Obama administration's last-ditch effort to strip constitutional rights from individuals with disabilities must not stand. We also cannot stand for regulations that place American companies at a disadvantage and place their workers at risk.

The rule before us will undo the costly and dangerous reporting requirements placed on America's energy companies operating abroad. When we repeal this unwise regulation on American energy companies, they can again fully contribute to the world's energy economy.

Mr. Speaker, I urge support for this rule and the underlying measures.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to the rule governing debate on H.J. Res. 40, and the underlying legislation, because in a nation that leads the civilized world in deaths by gun violence, the last thing we should be doing is making it easier for persons suffering from a very severe, long-term, mental disorder that makes them incapable of managing their financial benefits and unable to do any kind of work in the U.S. economy, even part-time or at very low wages to obtain deadly firearms.

The Republicans have brought to the floor this week a Congressional Review Act (CRA) of Disapproval to overturn Social Security Administration (SSA) regulations to comply with existing federal law governing the submission of records to the National Instant Criminal Background Check System (NICS).

H.J. Res. 40, would vacate an important rule issued by the Social Security Administration implementing the NICS Improvement Amendments Act of 2007.

That law, which we adopted in the wake of the tragic mass shooting at Virginia Tech, requires federal agencies to report to the National Instant Criminal Background Check System (NICS) records of individuals who are statutorily prohibited from purchasing or possessing firearms.

The statute was enacted with bipartisan support, and we should stand together to defend efforts to see that it is fully implemented.

Let us be clear what a submission vote on this legislation is about: the Republican's goal is to weaken our firearms background check system.

The shootings at Virginia Tech in April 2007 presented the deadliest shooting rampage in U.S. history.

On April 16 2007, the violence began around 7:15 a.m., ending in the deaths of 32 students and teachers after being gunned down on the campus of Virginia Polytechnic Institute and State University by Seung Hui Cho, a student at the school, who later died from a self-inflicted gunshot wound.

Only four months prior, on December 13, 2005, Cho had been ordered by a judge to seek outpatient care after making suicidal remarks to his roommates and was subsequently evaluated at Carilion-St. Alban's mental health facility.

On February 9, 2007, Cho picked up a Walther P–22 pistol that he purchased online, just days before, on February 2 from an out-of-state dealer at JND Pawn shop in Blacksburg, across the street from Virginia Tech.

In March of 2007, Cho purchased a 9mm Glock pistol and 50 rounds of ammunition from Roanoke Firearms for 571 dollars.

The attack, resulting from these preventable actions, left 30 people dead and another 17 wounded.

In all, 27 students and five faculty members died as a result of the actions of a known mentally unstable individual who was nonetheless allowed to purchase a firearm.

On December 14, 2012, Lenny Pozner dropped off his three children, Sophia, Arielle, and Noah, at Sandy Hook Elementary School in Newtown, Connecticut.

Noah had recently turned 6, and on the drive over they listened to his favorite song, for what turned out to be the last time.

Half an hour later, while Sophia and Arielle hid nearby, Adam Lanza walked into Noah's first-grade class with an AR–15 rifle.

Noah was the youngest of the 20 children and seven adults killed in one of the deadliest shootings in American history.

Depending on whom you ask, there were twenty-six, twenty-seven, or twenty-eight victims in Newtown.

It is twenty-six if you count only those who were murdered at Sandy Hook Elementary School; twenty-seven if you include Nancy Lanza—Adam's own mother; twenty-eight once Adam turned the gun on himself.

There are twenty-six stars on the local firehouse roof.

On the anniversary of the shootings, the governor of Connecticut asked churches to ring their bells twenty-six times.

Americans have spoken and they are outraged by the countless, needless gun related deaths claiming the lives of their children.

To ensure the continued safety of American families, the Gun Control Act of 1968 prohibits certain categories of individuals from possessing firearms, including those who, using outdated terminology, are ''adjudicated as a mental defective.'' (This is referred to as the ''federal mental health prohibitor.'')

The 1993 Brady Handgun Violence Prevention Act requires federally licensed firearms dealers to run background checks on prospective gun purchasers through NICS.

NICS includes records from various databases on individuals who are prohibited by law from purchasing and possessing firearms.

In response to the mass shootings at Virginia Tech, prior to which the shooter's mental health prohibitor should have been, but was not, reported to NICS, Congress in 2007 unanimously approved legislation to adopt the NICS Improvement Amendments Act.

As senior member of the House Committees on Judiciary and Homeland Security and Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security and Investigations, I supported the 2016 Social Security Administration (SSA) rule, which committed the SSA to submit records to the gun background check system for social security recipients prohibited from possessing guns due to severe mental illness.

It is a critical process for enforcing the law that bars prohibited people from passing background checks and purchasing firearms.

The only way we are going to prevent guns from getting into the hands of people who should not have them, people who pose a known and documented danger to themselves and others, is through a system based on robust, accurate and complete information.

Prior to the new SSA rulemaking, the agency had no process for submitting records of prohibited people to the National Instant Criminal Background Check System (NICS).

NICS therefore, has been missing records for those prohibited individuals.

NICS is only as good as the records it contains.

With those records missing from the system, these individuals are able to pass a background check and complete a purchase even though they are legally prohibited from purchasing guns under longstanding federal law.

The SSA regulation closes this gap by committing the agency to begin submitting prohibiting records into the gun background check system.

The rule does not impact any beneficiaries who are not already prohibited under law, and does not impact people based on disability findings that have been made prior to the rule taking effect.

Americans have spoken and they are outraged by the countless, needless gun related deaths claiming the lives of their children.

Under the regulation, only individuals with the most severe mental impairments, who are (1) unable to earn any income due to their mental incapacity, and (2) have been found incapable of managing their own benefits meet the NICS reporting system cautionary criteria to report the names of certain individuals who are prohibited by law from purchasing or possessing firearms to the National Instant Criminal Background Check System (NICS).

SSA has evaluated legal, medical and lay evidence and determined that these individuals are not capable of managing their own benefits.

SSA estimates that about 75,000 people per year will meet these criteria for reporting to NICS.

Disability examiners make the determination based on medical and other evidence, but physicians or psychologists review the evidence and sign off on the cases.

An individual who has a diagnosis of schizophrenia, suffers from hallucinations and delusions, and most days cannot care for herself—feeding, dressing, communicating with those around her.

Her symptoms and medical history meet the criteria in the listing for schizophrenia.

She receives disability benefits and has a representative payee.

She would meet the criteria for reporting.

An individual who has significant intellectual disability that prevents him from working at any level (i.e., he meets the listing for intellectual disability), and is unable to understand how to pay rent or use his benefits to buy food.

He qualifies for disability benefits and has a representative payee.

He would meet the criteria for reporting.

Placing anyone into the NICS as a ''prohibited person'' is not something we should take lightly, but it is a task that must be done in limited circumstances and as required by statute.

The circumstances addressed by this rule require that we work together on this serious and unfortunate issue.

The Congressional Review Act (CRA) resolution of Disapproval would, if passed by the House and Senate and signed by the President, deem the rule to have not been in effect at any time and would also prohibit SSA from reissuing a rule that is substantially the same.

The Republican's use of the CRA process to overturn the rule is an extreme exercise in bad governance.

Rather than fixing or improving the rule, it would ban reporting by the SSA entirely.

There would be no opportunity to simply improve aspects of the rule, and we would prevent full implementation of the law we enacted after the Virginia Tech shooting.

I cannot support that result and therefore oppose this resolution, and I urge my colleagues to do the same.

Subverting long-standing gun safety laws under the guise of protecting Constitutional rights, while simultaneously pushing for repeal of health reform laws that provided care to these communities rings hollow.

Now is not the time to weaken our background checks system by excluding those with the most severe and incapacitating forms of mental impairment.

The Social Security Administration should be commended for its efforts to keep children and families safe by following the lead of other agencies and enforcing laws that have been on the books for decades.

I urge you to oppose this Republican scare tactic of a rule, and the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 71 OFFERED BY MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 724) to provide that the Executive Order entitled ''Protecting the Nation from Foreign Terrorist Entry into the United States'' (January 27, 2017), shall have no force or effect, to prohibit the use of Federal funds to enforce the Executive Order, and for other purposes. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 724.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BUCK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 231, nays 191, not voting 10, as follows:

[Roll No. 70]

YEAS—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen

Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—191

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Blackburn
Clark (MA)
Kildee
Mulvaney
Price, Tom (GA)
Russell
Smith (TX)
Taylor
Walker
Zinke

□ 1346

Ms. BONAMICI and Mr. KENNEDY changed their vote from ''yea'' to ''nay.''

Mr. BLUM changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 191, not voting 10, as follows:

[Roll No. 71]

AYES—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—191

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Clark (MA)
Hartzler
Kildee
Mulvaney
Price, Tom (GA)
Russell
Smith (TX)
Taylor
Walker
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1352

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

Mr. BISHOP of Utah. Mr. Speaker, pursuant to House Resolution 70, I call up the joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 70, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 38

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior relating to the ''Stream Protection Rule'' (published at 81 Fed. Reg. 93066 (December 20, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.J. Res. 38.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself 4 minutes.

We are starting an historic week in the House, something that was replicated almost two decades ago, but we are doing it again and are using the Congressional Review Act to look at actual rules and regulations. What we are doing is the right thing.

In 1996, when this act was first passed, President Clinton, after signing it, said that this act would give congressional accountability for regulations. Even Harry Reid said that this act would be reclaiming for Congress some of its policymaking authority, and SANDER LEVIN of Michigan, at the time, also said that now we are in a position to do something ourselves. If a rule goes too far afield from the intent of Congress in its passing the statute in the first place, we can stop it. That is exactly what we are attempting to do, and this is one of the first of those activities we will be doing this week.

The Congressional Review Act actually has three purposes in mind. They said, if a rule has excessive costs, if a rule goes beyond the particular agency's statutory authority, and if a rule is duplicative or unnecessary, it should be reviewed by Congress and rescinded. That is exactly what we are going to do because this rule, commonly called the stream protection rule, does all three of those criteria.

What I want to do is talk about this rule that was passed at the last minute by the former administration—it actually went into effect on the very last day of the administration—and say that it violates all of those three elements. The act itself—the rule itself—was done in secret. They had their own opaque study that they did without letting anyone know what the data was. We asked for it repeatedly, but the agency refused to tell us. Even in 2015, Congress passed a law in the Appropriations Act that mandated they tell us the data, the information. They simply ignored that law. They have refused to work with Congress in any particular way.

□ 1400

Actually, it violates law. If this rule goes forward, it violates the NEPA law. If gone into implementation, it would violate the Endangered Species Act.

It violates a memo of understanding the Federal Government had with 10 States at the time. In fact, there are 14 States suing over this rule and regulation. We have the letters of support from 14 State attorneys general in support of what we are attempting to do here.

If put into effect, it clearly violates the Clean Water Act by its effort to redefine hydraulic balance, which this agency does not have the authority to do. It is given to other elements.

It also puts us at risk of litigation on a takings issue. There is precedent for that. It could happen again, all because of this ill-defined and unnecessary rule and regulation.

If we roll it back, there is still protection. There will always still be protection. In a Department of the Interior study, they clearly said that 93 percent of all the impact has already been taken care of and does not actually exist. It would be easy for us to do and it would put us back to a rule established in 1983 that is effective in protecting these areas. Ninety three percent of all streams have no impact by this issue whatsoever.

It also clearly says, under the report when this rule was being done, that the States that are legally supposed to be coordinated and be a part of the process were shut out of the process. It is one of the reasons why they are still suing, which means the memo of understanding signed by those States was ignored by the agency in coming up with this rule. The States that regulate 97 percent of the Nation's coal production, States and tribes that abate well over 90 percent of the abandoned mine problems—they have it in line, they have it ready, they are ready to move forward with it—they were simply shut out of the process. It is a poor process.

There was a former icon of this body, a great Member who once allegedly said: If I let you make the policy and you let me make the procedure, I will screw you over every time.

This is poor procedure that has produced a poor rule, which will result in poor policy. At best, this rule is redundant. It is clearly unnecessary, and it does have the potential of hurting people nefariously when it does not need to.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong opposition to this resolution, which would put coal company profits ahead of clean water and public health. The stream protection rule has been in development for 7 years and puts in place modest, commonsense protections for people who live near coal mines.

This isn't just a rule to protect streams. This is a rule to protect people's health, to protect people's homes, and to protect the clean water that they rely on. These folks felt strongly enough about this rule to submit public comments.

The rule is designed to protect people like Donetta from West Virginia, who nearly lost her life when chemicals from coal fields found their way into her water supply and interacted with her medication in such a way that it nearly destroyed her liver.

The rule is designed to protect people like John from Alabama, who reports lakes that have turned gray and streams that have turned orange.

This rule is designed to protect people like David from Tennessee, who watched a creek near his grandmother's home become lifeless due to strip mining nearby.

This rule is designed to protect people like Josh from North Carolina, who can no longer fish in the streams near a family home and wants coal companies to be held accountable for the damage that they did.

This rule is designed to protect people like Jonita from Kentucky, a coal miner's daughter whose water supply is tainted with heavy metal and other toxins from coal sludge. She wrote: ''Coal put the food on my table. It also put the poison in my water. Reasonable trade-off?''

I don't believe that Jonita or anyone else should have to make that trade-off. No one's water supply should be sacrificed in the name of higher bonuses for coal company CEOs. Those coal executives have made it their overriding goal to kill this regulation; and after spending nearly $50 million on political campaign contributions over the past 6 years, they now have a Congress and a President to do it.

So for the first time in 16 years and just the second time ever, Republicans are going back to Newt Gingrich's playbook and trying to successfully use the Congressional Review Act simply because the coal industry feels like it shouldn't be held accountable.

But as we know, this is only the first of five regulations that we will be repealing just this week. Later today, they are going to get rid of the rule

that requires increased transparency on the part of oil, gas, and the mining industry. Later this week, we will be fighting for the right of oil and gas companies to pollute the air with methane.

This is the Republican agenda in the age of Trump; an attack on clean water, an attack on clean air, an attack on transparency, and an attack on human health. If you are a CEO or a wealthy Republican donor, this is great news; and you will love the next couple of years. But if you are an ordinary American that depends on their government to hold companies accountable through tough but fair enforcement of regulations, you should be extremely worried.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield to 3 minutes to the gentleman from Ohio (Mr. JOHNSON) to explain this joint resolution.

Mr. JOHNSON of Ohio. Mr. Speaker, make no mistake about it, the stream protection rule is not about protecting streams. It was designed for one purpose—to regulate the coal mining industry out of business. It is the centerpiece of the Obama administration's war on coal.

The simple truth is revealed when you begin to follow the Office of Surface Mining's 7-year approach to writing this job-killing rule, a process which began only after the previous administration discarded the rule's predecessor, a 2008 regulation that underwent 5 years of extensive environmental review and public comment.

That was just the beginning. Since then, millions of taxpayer dollars have been needlessly spent developing this rule. Contractors were hired to help rewrite the rule, but then subsequently fired when it was leaked that the initial revisions of the rule would cost thousands of jobs, and that was within the first few months of this attempted rewrite.

Unfortunately, estimated job losses have only skyrocketed since the final rule was released. What is troubling is that, throughout the rule's rewrite, the administration refused to visit mines or to actually assess the impact of the rule on operating mines.

There were attempts to cover up data that concealed the rule's true economic impact. The Office of Surface Mining also repeatedly refused to provide Congress with important documents it used to develop the rule, while keeping State regulating agencies charged with implementing this onerous rule in the dark and at arm's length throughout the entire rewrite.

Now, after 7 years of this politically motivated rewrite, the previous administration issued the final rule as they were leaving town, well after the American people—particularly those men and women in coal country—had sent a clear message to Washington. Politically motivated attacks on the livelihoods of those who keep the lights on will not stand.

The issuance of this rule, after all these facts are considered, proves what I said earlier. This rule is about one thing: regulating the coal industry and putting thousands of hardworking Americans that depend on the coal industry for their livelihoods in the unemployment line.

No one cares more about our streams that run through coal country than those who live there, and no public officials know better how to create a balance between protecting both jobs and the environment than those serving in local and State governments that represent coal-producing communities. It is certainly not the beltway bureaucrats in Washington.

I look forward to what I hope to be and should be a bipartisan vote supporting today's important resolution.

Mr. GRIJALVA. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LOWENTHAL), the ranking member of the Committee on Natural Resources' Subcommittee on Energy and Minerals Resources.

Mr. LOWENTHAL. Mr. Speaker, I rise today to oppose H.J. Res. 38.

The science is clear: mountaintop removal mining is harmful to the health of people who live near these mines. Anyone with a computer can go to Google Earth and see the tremendous scars on the landscape from mining companies that blast the tops off mountains and then dump the waste into the valleys below. But largely invisible to the naked eye is the suffering of people who live in the nearby communities because of these harmful practices.

The stream protection rule will protect hundreds of vulnerable families and children who live near these sites from lung cancer, heart disease, kidney disease, birth defects, hypertension, and other health problems.

If the majority has a problem with this final rule, as they say they do, they should hold a hearing in the Natural Resources Committee to discuss its merits. There we would have an opportunity to talk to the administration and hear from those who are most affected by mountaintop removal mining.

Instead, they have decided to bypass regular order, go straight to the Congressional Review Act, which will take a chainsaw to this commonsense pollution rule. This is a reckless approach.

I urge my colleagues to take time to listen to the voices of the American people. Please put the health and safety of American families first and vote ''no'' on this reckless resolution.

Mr. BISHOP of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia (Mr. JENKINS), someone who has forgotten more about coal than I will ever know.

Mr. JENKINS of West Virginia. Mr. Speaker, I rise in support of this resolution. Like so many folks, I have been fighting this misguided rule for years. Miners have been fighting this rule for years. And States—bipartisan, Democrat and Republican—have been fighting this rule for years.

Stopping this rule matters to West Virginians, to our miners, to our families, to our consumers. We produce 95 percent of our electricity from coal. It is reliable and it is affordable. Coal employs 20,000 West Virginians, and tens of thousands more make their living related to coal.

The loss of a coal job and the closing of a coal mine affects us all. Its severance tax revenues help to fund our schools, pay for our police and fire departments, and put money in the coffers of our local governments.

This rule would cost cities and counties $6.4 billion in tax revenue over a year, with the decline in coal mining. That means even more cuts.

When we lose coal jobs, we lose other jobs as well. When coal families lose a paycheck, they aren't able to buy goods and services like they used to. That hurts small businesses, our shops, and our restaurants.

It is estimated that this rule would kill 281,000 coal jobs and related jobs in other fields. My State can't afford to lose any more jobs, and I know that goes for other coal States.

However, despite these facts and the objections of more than a dozen States, the Office of Surface Mining adopted a go-it-alone approach. They ignored input that contradicts their agenda. They withheld information on the rule and restricted States from reviewing it. Well, that ends today.

I thank Chairman BISHOP, I thank the House Natural Resources Committee, and I thank the leadership of the House for their support on this resolution. Thank you, Senator CAPITO and Leader MCCONNELL, for your leadership in the Senate. We also have the support of the White House on this resolution.

With a simple majority vote in the House and the Senate, we will end this rule and stop this job-killing, anticoal agenda.

I urge support on this joint resolution.

Mr. GRIJALVA. Mr. Speaker, it should be noted for the record that the Republican majority conducted a 4-year investigation into the development of this rule, holding 12 hearings, issuing two subpoenas, collecting 25 hours of audio recordings and 13,500 pages of documents, but were unable to uncover any political interference or misconduct in the development of this rule.

I yield 1½ minutes to the gentlewoman from Michigan (Mrs. LAWRENCE).

□ 1415

Mrs. LAWRENCE. Mr. Speaker, I rise today in strong opposition to H.J. Res. 38. This rule is a much-needed update to existing mining regulations. It ensures that communities that reside by mining operations monitor water pollution levels.

I am standing here today to continue to speak up and fight for clean water in

America. I promised that I would stand up and make sure that never again in America another community would be poisoned by the water. I say to you, Mr. Speaker, that miners deserve clean water as well.

This resolution monitors drinking water sources for pollution, such as lead and other toxic substances, and provides that information to the public. Have we learned something from Flint, Mr. Speaker?

This rule will also help protect land and forests by ensuring that companies restore the land and water sources that were impacted by a precious occupation in our country, and that is mining operations.

Let's defeat this resolution that prohibits commonsense rulemaking, protects the environment, and protects the rights of Americans to have access to clean, safe drinking water, while also creating jobs.

Mr. BISHOP of Utah. Mr. Speaker, I don't want to quibble over details, but we actually held 13 hearings and passed four bills over the last three Congresses about this particular rule and found countless problems with it. That is why we are here today.

I yield 3 minutes to the gentleman from West Virginia (Mr. MCKINLEY), who knows the real impact on his constituents that this rule will have.

Mr. MCKINLEY. Mr. Speaker, as chairman of the Congressional Coal Caucus, I rise today in strong support for this action.

After 8 long, tortuous years, our coal communities have endured a withering attack from Washington bureaucrats focused on this agenda of anticoal. What has been the result?

Across this country, in the coal fields of this country, 400 mines have closed down, 83,000 coal miners have lost their jobs, 246 power plants have closed down, and our electric utility bills have gone up 45 percent.

Then, right before President Obama left town, his administration punctuated its war on coal with this damaging further rule. This rule is nothing more than an organic manifestation of a Washington bureaucracy drunk with power. If it is left unaddressed, this rule would shut down an additional number of coal mines, and 78,000 men and women would lose their jobs because of this rule.

For the last 2 years, our Coal Caucus, bipartisan members, have made stopping this rule our number one priority, because it has nothing to do with the health of America, the safety of America, and the life of Americans.

Simply put, it was President Obama's attempt to drive a final nail into the coffin of an industry that made America great.

Look, enough is enough. This war on coal has to come to a stop, and I think this election set the tone for that.

Now that we finally have a President who understands the painful impact of excessive and unnecessary regulations, we should pass this CRA as quickly as possible so he can sign it.

It is time to give the families of the coal fields all across America a chance to get relief from the unelected bureaucrats in Washington.

I thank the chairman for his work in getting this. I thank him for the cosponsorship that we have had with Congressmen JOHNSON and JENKINS to help us out on this, to get this before us. We have to do this for the people of West Virginia and around the country.

Mr. GRIJALVA. Mr. Speaker, if there is a war on coal, it is being led by the natural gas industry who produces a cheaper product at a lower cost. And if there is any trouble that coal is in, it is directly attributed to the free market and that competition.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HUFFMAN), the ranking member of the Subcommittee on Water, Power and Oceans.

Mr. HUFFMAN. Mr. Speaker, I rise in opposition to this attempt to politically override the Interior Department's stream protection rule.

Much like the destructive mountaintop removal practice that this rule is designed to prevent, this Republican assault on the environment and the health of coal mining communities is a crude and dirty process.

Using the Congressional Review Act, a single hour in Congress is going to be enough to remove a rule that reflects 7 years of national public debate, including at least 30 stakeholder meetings, over 100,000 public comments. This blows up the regular legislative and regulatory process, ignores science, marginalizes public health, and puts communities at risk.

Let me be clear: when the coal dust settles on this devastating resolution, it certainly won't be Members of Congress who are left drinking polluted drinking water or battling lung cancer, heart disease, and birth defects.

Much like the coal executives who profit from exhausting and polluting the natural resources of these communities, the GOP will move on to the next target and look for the next way to let business off the hook, to let them externalize their costs to the environment, to local communities, and, ultimately, to the U.S. taxpayers who have to clean up the mess.

But communities in the Appalachian Mountains, vital salmon streams in Alaska, and much-needed water supplies across this country will be left dealing with the aftermath, while our Republican colleagues boast about having provided so-called regulatory relief.

For all the talk about coal jobs from Republicans and our new President, you would think they would care just a little about protecting the health of these coal miners and their families and their communities. And yet, when given a chance to protect the water quality of 6,000 miles of streams in coal country, this House is choosing to side with the polluting industry instead.

That is shameful, and we should oppose this wrong-headed resolution.

Mr. BISHOP of Utah. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), who chaired most of our 13 hearings on this issue, and who represents a State that is suing because they were ignored in this rule, where they should have had their rights under the Clean Water Act, which is part of the problem we have here.

Mr. LAMBORN. Mr. Speaker, on December 20, 2016, the stream rule was finalized in the last days of the Obama administration by the Office of Surface Mining Reclamation and Enforcement, OSM. Ostensibly, the rule is about keeping American waterways clean. In reality, it is a power grab aimed at giving Federal regulators more authority to make coal too expensive for anyone to mine or use.

But no one should be surprised. In 2008, then candidate Barack Obama told the San Francisco Chronicle that while people would still be free to build a coal-powered electricity plant under his energy policies, it would bankrupt them because of the high costs his regulations would impose. And that is exactly what President Obama has tried to do.

Under the stream protection rule, Federal regulators will have expanded power to draw up new standards that make it harder to get a coal mining permit. OSM's Federal water standards would suddenly take precedence over the State standards that have long governed the industry under the Clean Water Act. The Fish and Wildlife Service would also gain the power to veto coal permits.

The aim is to take permitting power from States and impose a one-size-fits-all standard. When this process started, 10 States signed on to Interior's rulemaking process as State cooperating agencies. But 8 of the 10 later withdrew because Interior wasn't interested in what they had to say.

The subcommittee I chaired held 13 hearings to expose the flaws behind this rule. The rule provides no discernable environmental benefits, while duplicating extensive existing environmental protections at both the Federal and State levels.

In fact, the rule's only purpose appears to be to support the environmental lobby's ''keep it in the ground'' platform, locking away up to 64 percent of our domestic coal reserves, putting tens of thousands of Americans out of work, and raising energy costs for millions of Americans.

I urge my colleagues to join me in supporting the joint resolution of disapproval under the Congressional Review Act.

Mr. GRIJALVA. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. BROWN), a member of the Natural Resources Committee.

Mr. BROWN of Maryland. Mr. Speaker, I rise in opposition to H.J. Res. 38. Today, I speak against eliminating the Department of the Interior's stream protection rule. The proposed rule is

about balancing the need to support our American coal industry with our responsibility to safeguard and protect our environment.

What is most concerning and simply outrageous is that this bill proposes to not only overturn the stream protection rule, but it would prohibit the Interior Department from ever issuing a similar rule in the future, even as technology advances and best practices to safeguard the environment improve.

The rule, which was drafted over 7 years, after 30 public meetings and over 100,000 public comments, is the first major update to surface mining regulations in more than 30 years, but is being rolled back without even a single hearing in this Congress, which doesn't follow regular order.

Mr. Speaker, Maryland has a rich history of coal mining, a history that predates our Nation's founding. Yet, for a decade, we have witnessed a slow decline in coal production and a shift toward cheaper and cleaner sources of energy. Nevertheless, the industry in Maryland continues to employ hundreds of people, produce nearly 2 million tons annually, and coal is the leading export commodity leaving the port of Baltimore. I support the coal industry in Maryland.

But in Maryland, where the streams from our mountain panhandle, coal country, flow into the Potomac and eventually the Chesapeake Bay, we have taken proactive steps to mitigate the environmental impact associated with mining, requiring companies to develop and follow reclamation plans, divert streams, treat acidic drainage with chemicals, and control erosion and runoff.

However, our efforts and requirements haven't kept up with modern technology and innovative best practices. And the proposed rule enables us to employ better technology to better achieve our environmental goals.

The Department of the Interior estimates that compliance costs will amount to a de minimis percentage of coal industry revenues, there will be a minimal impact on mining jobs, and it will create good-paying, green jobs. We will protect 6,000 miles of streams, 52,000 acres of forest, and reduce 2.6 million more tons of carbon dioxide emissions.

Mr. Speaker, representing families in the Chesapeake Bay watershed, I understand firsthand that once the ecologies of streams, rivers, and bays are degraded, they cannot be easily reclaimed.

Now is not the time to turn back or turn our back on technology that is available and that is offered up in this rule.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. GOSAR), part of our committee who has heard the 13 hearings, understands this issue, and was part of the House when we voted four different times to be opposed to this particular rule.

Mr. GOSAR. Mr. Speaker, there is no question that President Obama put his own environmental legacy ahead of the well-being of the American people. The Obama administration squandered taxpayer money for 8 years attempting to force the stream protection rule down our throats.

The deception and lack of transparency utilized to implement this rule were unprecedented. Along with manipulating job loss numbers, the administration even changed the rule's name, thinking the American people might forget about it. But the fact is, you can't put lipstick on this pig. Whether you call it the stream buffer zone rule or the stream protection rule, the rule still stinks.

The American people who want good-paying careers have missed out on hundreds of thousands of jobs around the country as a result of President Obama's ideologically-driven war on coal. But today is a new dawn in America, and this job-killing, midnight regulation is now directly in the crosshairs of the Trump administration and of this Congress.

On behalf of all hardworking Americans, I urge my colleagues to vote to support this commonsense legislation.

Mr. GRIJALVA. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER), a member of the Natural Resources Committee.

Mr. BEYER. Mr. Speaker, with respect, I quote Mr. MCKINLEY: ''We have to do this for the people of West Virginia and around the country.'' And I agree, and this is why we need the stream protection rule.

It is a commonsense approach to minimizing the impacts to surface water and groundwater from coal mining.

In Appalachia alone, mountaintop removal has been responsible for the destruction of 2,000 miles of streams. Peer reviewed studies have linked mountaintop removal mining to cancer, birth defects, and serious health problems for residents living near these mining sites.

Just look at my Virginia map. The highest death rates in the State and the most chronic diseases are in the coal fields.

□ 1430

I saw this firsthand while I was Lieutenant Governor of Virginia for 8 years, when mountaintop removal mining became the most prevalent coal mining technique in central Appalachia.

That is why this is so important. Communities near coal mining sites have a right to know what is in their water because it impacts their livelihood and their lifespan.

This rule includes commonsense monitoring of streams—many of which are important drinking water sources—for pollutants such as lead, selenium, and manganese. Basic monitoring for these toxins is essential, given their potential impacts on human health and the environment.

The rule also requires that streams and lands disturbed by surface coal mining be restored. This would result in the protection or restoration of approximately 6,000 miles of streams and 52,000 acres of forest over the next two decades.

This is really important because we know the contamination of streams by coal mining pollution threatens everything from fishing and outdoor recreation to small businesses like restaurants and farms that are relying on clean, safe water. This rule is an appropriate balancing act between our energy needs and our environmental protections, and it is also appropriately flexible to coal mining companies.

Most importantly, the Congressional Review Act doesn't make sense here. If you want to trim a tree, you don't chop it down and bury it under cement so it will never grow again. The Congressional Review Act is an extreme measure that would permanently damage our surface mining laws. We have heard that it was a product of more than 7 years of work and the chairman talks about the 13 hearings, but not one has been held in the 18 months since the rule was proclaimed.

The Congressional Review Act describes the vast amount of work that the Office of Surface Mining did in order to create this rule.

The SPEAKER pro tempore (Mr. WOODALL). The time of the gentleman has expired.

Mr. GRIJALVA. I yield the gentleman an additional 1 minute.

Mr. BEYER. Mr. Speaker, what is most dangerous is, because of the lack of clarity regarding the Congressional Review Act's prohibition on similar rulemakings, the agency may never take future efforts to update and improve surface mining regulations. Even if you don't like this surface protection rule, disallowing any future protections for the water and health of communities living near coal mining operations makes no sense at all.

I urge my colleagues to vote against this bill.

Mr. BISHOP of Utah. Mr. Speaker, I now have the pleasure of recognizing people who are not on our committee but still know how silly this rule actually is.

I yield 1 minute to the gentleman from Illinois (Mr. BOST.)

Mr. BOST. Mr. Speaker, the Obama administration anticoal regulation was a solution in search of a problem. It wasn't intended to protect the environment. It was intended to put coal miners out of work. And, sadly, it has been successful in achieving that goal.

A study of the rule estimates it would destroy more than one-third of our coal jobs, and that nearly half of all coal resources would effectively be off limits to mining. In addition, the OSM rule has ignored clear congressional directives to share information with the States.

If ever there has been a time for Congress to act, this is it. I urge my colleagues to support this resolution.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. MCEACHIN), the ranking member of the Natural Resources Committee, Subcommittee on Oversight and Investigations.

Mr. MCEACHIN. Mr. Speaker, I rise today in opposition to this resolution to overrule the stream protection rule, just as I would oppose any measure that threatened the quality of our drinking water.

Clean drinking water is a fundamental health need, and meeting that need is one of our most basic responsibilities in this Congress. We must not put special interests ahead of the health of our constituents.

The stream protection rule is very simple:

It strengthens and clarifies existing water quality protections with respect to mining.

It requires that affected streams be restored when mining is finished.

It gives communities accurate information about water quality so they can best protect themselves from pollution.

Mr. Speaker, these protections are not onerous, but their benefits are vast.

We have seen in Flint, Michigan, and elsewhere the painful consequences when people lack access to safe drinking water. We must do more to prevent that kind of suffering and damage. Nixing this rule would, instead, mean that we are doing less.

The stream protection rule is the product of a careful year's-long process. Countless stakeholders participated at two dozen public meetings, and regulators received tens of thousands of public comments.

Mr. Speaker, this rule was crafted in the sunshine, but we are about to overrule it in the dead of night. After all of that work, this resolution of disapproval did not even receive a committee hearing.

Mr. Speaker, if this body is seriously going to weaken vital drinking water protections, the American people deserve ample opportunities to inform themselves and to make their voices heard. This rushed-through proposal denies them that opportunity.

I find this measure to be very disturbing, and I find the process concerning. I urge all of my colleagues on both sides of the aisle not to go down this path.

Mr. BISHOP of Utah. Mr. Speaker, nice to know that 2:30 in the afternoon is the dead of night.

I yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, a little over a year ago, I took a mile-long, 30-minute ride with coal miners into a 3½-foot-high coal mine in the mountains of Pennsylvania. I was reminded that day about the incredible work ethic of the folks in western Pennsylvania, the same work ethic that literally built this country in the 19th and first half of the 20th centuries.

The regulation we vote on today is one of the last rules that the Obama administration pushed out. This regulation has a single purpose: the demise of the coal industry and the thousands of middle class jobs that depend on it. This regulation is the culmination of former President Obama's ideological war on American energy that provides minimal benefit but tremendous cost.

I care about the miners and the workers I met with whose middle class jobs are at risk. I care about utility customers whose electric bills will go up because this regulation will take valuable American energy offline. I care about the communities that are hurt when these coal mines close.

This country continues to make tremendous progress on cleaning up the environment, progress that will continue without this job-killing regulation. If you care about the workers, if you care about these communities, you will vote ''yes'' on this CRA and block this job killer.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Speaker, I rise in opposition to this dangerous effort to block the stream protection rule, a commonsense proposal that has the potential to save lives and will improve the health, outcomes, and well-being of families over time throughout coal country.

This bottle of—I guess you could call it a liquid—wasn't taken from an industrial waste site or from the runoff of a landfill. This came from the drinking well of the Urias family's home in Pike County, Kentucky.

Despite what it looks like, there is water in there along with chemicals, toxic minerals, and known carcinogens, all present in this family's drinking water because of mountaintop removal.

The mountaintop removal process begins with beautiful mountains that look just like this. These are Appalachian Mountains near the West Virginia-Kentucky border.

First, they raze an entire side of the mountain, tearing trees from the ground and burning down any plant growth. From there, they use explosives to blast the tops off the mountains and push rock and dirt out, ultimately filling the surrounding streams and waterways with debris, blast materials, and other dangerous elements and minerals that end up in the drinking water of the Urias family and countless others throughout coal country.

This is what is left.

As we have noted during our fight for funding to help the families of Flint, Michigan, dealing with water contamination, this should not happen here in America in the 21st century; yet families in coal country have been dealing with this for 40 years. So you can imagine how many people's health has been jeopardized by this practice.

The stream protection rule that the House is about to block would serve as one of the only safety measures that would protect these families from poisonous drinking water, higher rates of cancer, lung disease, respiratory illness, cardiovascular disease, birth defects, and the countless negative health effects that plague this region.

If my colleagues on the other side of the aisle want to block the safeguards of the stream protection rule, they should at least consider supporting my legislation, the Appalachian Communities Health Emergency Act, or ACHE Act. I introduced this bill earlier today with Representative SLAUGHTER to suspend new mountaintop removal permits until the Department of Health and Human Services can conduct a comprehensive Federal study of the health effects of this reckless mining method used in my State of Kentucky and throughout coal country.

I believe mountaintop removal should be banned, but at a minimum, we should halt all new permits until the safety of the residents in the surrounding communities is assured. Therefore, I urge my colleagues to oppose today's effort to block this potentially lifesaving rule and support the ACHE Act.

We have failed to protect the families in these communities, and passage of this bill will inflict another blow to their health and well-being. They deserve far better.

I will make a final offer to my colleagues on the other side. If anybody wants to come and take a drink out of this, I will withdraw the ACHE Act and vote for their legislation.

Mr. BISHOP of Utah. I am pleased to yield 1 minute to the gentleman from Ohio (Mr. RENACCI).

Mr. RENACCI. Mr. Speaker, in the waning days of his Presidency, the Obama administration finalized the stream buffer rule, a final parting shot at the coal industry on his way out the door. Not once did the Office of Surface Mining visit and assess the economic impact of this rule on operating mines. In fact, in their analysis, they relied on ''hypothetical mines.''

These aren't hypothetical mines and they aren't hypothetical jobs that will be affected. In the real world, this rule could mean the end of coal production in Ohio and the end of thousands of good-paying jobs in countless communities like the one I grew up in.

Ohio will be directly impacted by this rule. Fifty-nine percent of our electricity comes from coal-fired power plants, and Ohio's coal industry employs thousands of hardworking Americans.

Mr. Speaker, I urge my colleagues to vote to stop this rule, to stop the war on coal, and to stop this rule which could cause hardworking Americans to lose their jobs. I urge my colleagues to support this joint resolution of disapproval under the Congressional Review Act.

Mr. GRIJALVA. I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Colorado (Mr. TIPTON), another State that was promised, in the Clean Water Act, to have authority which was taken away by this simple rule.

Mr. TIPTON. Mr. Speaker, the United States is blessed with a wealth of domestic energy resources, allowing our Nation to responsibly develop safe, abundant, and affordable energy to meet our own needs.

The Third District of Colorado has blue skies, clean water, while maintaining a healthy amount of responsible development of oil, natural gas, and coal production in its many communities.

According to the Energy Information Agency, coal accounted for approximately 60 percent of the electricity generated in Colorado in 2015; yet this vitally important resource that provides affordable energy and jobs to many of our families' homes has come under attack. Backed by radical interests, the government has issued new rules and regulations under the guise of environmental protections, but whose true intent is to bankrupt the coal industry with regulatory compliance.

The stream protection rule is a solution in search of a problem. Modern mining operations are already adept at avoiding impacts to watersheds, as the Office of Surface Mining's own numbers show. The industry is also already subject to a wide array of environmental statutes and regulations enforced by various Federal and State cooperating agencies.

I urge the passage of this resolution and encourage my colleagues to support it.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

I would like to read a few lines from letters of opposition to this resolution. The first comes from a coalition of 75 national and local environmental groups who are strongly opposed to this bill.

They write: ''This long awaited rule provides local communities with information they desperately need about water pollution caused by nearby coal mining operations, and includes several important protections for clean water and the health of communities surrounding coal mining operations. Any attack on the safeguards in the Stream Protection Rule is an attack on clean water and should be opposed.''

Wildlife and sportsman groups are also opposed.

The National Wildlife Federation writes: ''The Stream Protection Rule is an important water quality rule for our nation. It seeks to empower State regulatory authorities to ensure coal mining and reclamation best practices, taking into account their unique regional distinctions and impacts to local communities and wildlife.

''. . . any efforts to undermine the safeguards afforded by the finalized Stream Protection Rule, a rule with years of stakeholder outreach and engagement, would be an attack on clean water and should be opposed.''

Travel Unlimited says: ''The rule is a worthy, sensible effort to reduce the huge impacts of mountaintop removal coal mining . . . on our Appalachian streams and rivers.''

And it goes on and on. They all go on to point out the specific impact of mountaintop removal mining on fishing and wildlife and sportsmen.

''Mountaintop removal mining practices create a survival risk for brook trout and other wild trout populations, and impede efforts to restore brook trout in already degraded watersheds.''

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. I am pleased to yield 1 minute to the gentleman from Kentucky (Mr. COMER), a new Member of Congress, who realizes that this rule is long on regulations and short on real new protections for people.

□ 1445

Mr. COMER. Mr. Speaker, I rise to speak in favor of repealing the stream protection rule.

I represent a coal-producing district whose economy has been devastated by the former President's and his renegade of unelected bureaucrats' war on coal.

Last year, a Presidential candidate boasted among a liberal political crowd that she would put a bunch of coal miners out of work. She went on to say that the government would then essentially come in and put those hardworking, out-of-work coal miners on welfare.

Well, Mr. Speaker, my coal miners don't want to be on government welfare. They want the government to get out of their way and let them work.

Because of senseless, onerous regulations like the stream protection rule, the liberals in Washington have succeeded in putting most coal miners out of work. I believe that with the passage of H.J. Res. 38 and a sensible energy policy created and implemented by businesspeople instead of bureaucrats, we can begin to bring coal jobs back to Kentucky and help provide the struggling economies in Kentucky's coal counties.

Mr. GRIJALVA. Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LAMALFA), one of the other members of our committee who has served for a long time and has heard many of these arguments before.

Mr. LAMALFA. Mr. Speaker, I rise today in support of the measure for congressional disapproval of the Department of the Interior's stream protection rule, which was created under the guise of protecting the environment but, instead, has been very harmful to American jobs.

They have attempted to cripple an industry—energy—that has provided vast amounts of energy to States across this country for decades. My home State of California has had a long history of mining that has led to incredible economic growth and job opportunities for many of my local communities.

This one-size-fits-all approach fails to provide any regulatory certainty to industry and denies important tax revenue from energy extraction to the American taxpayer.

I appreciate my colleagues bringing this to the floor, and I hope we can sort through the rhetoric on this against energy jobs of a very important segment across the country that supplies so much of our energy currently, and can do it with safety and a mind for redeveloping our economy.

Mr. GRIJALVA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, the opposition to this particular bill goes from coast to coast. We just heard from California. Now we will go back to the East Coast.

Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I stand here today in support of the livelihood of an entire region of our country and industry that was unfairly targeted by the Obama administration in pursuit of an ideological agenda to do away with our Nation's abundant coal resources.

The previous administration targeted the coal industry and, by extension, the hardworking Americans employed by the industry under the guise of protecting the environment. We all want clear air and water for our Nation's prosperity, but this rule is so strict, it makes it impossible for companies to continue to operate. It results in layoffs, closed businesses, and ultimately an entire region unemployed.

Our Nation is blessed with an abundance of natural resources and we should utilize them all: oil, hydropower, wind, solar, and yes, clean coal, too. We must be prudent about how we regulate our energy industries because when one sector is pushed out, it is the moms and dads at the end of the month paying their electric bill that feel the impact the most. All Americans will be affected, but it will be felt more by the ones who can least afford it.

That is why I am opposed to the rule, and I urge my colleagues to support the CRA.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

The use of the Congressional Review Act has been categorized as reckless and extreme. The CRA was going to cause significant and lasting harm.

If successful, two things are going to happen: the regulation is void and the agency is prohibited from issuing another similar rule ever again.

I mention that because this is about health. It is about the health of the people living around those mining operations and it is about mountaintop removal and the documented analysis

that proves that it is a danger to health. It contaminates water and it is destructive to the environment.

It is curious that we had 13 hearings—I stand corrected—and an investigation that went on in perpetuity, it seemed like. Yet, once the rule was finalized and published in 2015, we never had another hearing on the item again, which begs the question: If the whole point was to delay and prevent this rule from ever taking effect and, more importantly, make it susceptible to the Congressional Review Act, mission accomplished for the majority.

But the long-term consequences of using the CRA on a rule that is designed to protect people's health, on a rule that is designed to make coal companies be transparent and disclose to the public, on a rule that every scientific analysis and the science is clear that this rule was indeed there to protect both people and communities, I think that is the permanent harm being done by this action today—denying the people in those communities to return to past practices that created the problem that we are dealing with and that this rule attempted to address that created that problem.

Now we return to those times where unregulated mountaintop removal causes the destruction to both human beings and the environment that we see as a legacy. I think it is not only disrespectful to the people of those regions, but it, again, puts their health and the well-being of both the environment and humanity in that area at major risk. It is not only reckless and extreme to use the CRA, it is also dangerous.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. BARR), who clearly understands the situation that this rule has presented.

Mr. BARR. Mr. Speaker, I appreciate the opportunity to speak in favor of this Congressional Review Act resolution on behalf of the thousands of fellow Kentuckians who have lost their jobs in the coal industry.

In eastern Kentucky, not far from where I live, it is not just a recession that they are experiencing. What is happening in eastern Kentucky is a little depression over the last several years. The stream protection rule would be the final death knell of a proud industry that has literally powered America for over a century.

When I talk to the men and women of eastern Kentucky about the prospects of losing even more jobs in an economically depressed place, it is just absolutely devastating. So I applaud the work of the committee and I applaud the work of this House to take this matter seriously to end this regulation that would put even more of my fellow Kentuckians in economic distress.

Instead of looking at environmental questions as a matter of the need to have more government central planning, let's solve environmental problems in a different way, through innovation and technology.

Mr. GRIJALVA. Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise in support of this resolution providing for a congressional disapproval of the stream buffer rule.

In my home State of Illinois, coal production employs roughly 5,000 workers and the industry contributes $2 billion a year to our State's economy. In southern Illinois, these are some of the region's best-paying jobs.

Unfortunately, this rule was one of the final shots the Obama administration fired in their war on coal. Unless reversed, this rule is directly going to hurt our Illinois coal miners and those working at coal power plants and, in the end, consumers—those who pay the utility bills in this country.

The last administration refused to work in good faith with the States when finalizing the rule, even after Congress told them to do so in the 2015 omnibus bill.

I include in the RECORD a letter from the Illinois Department of Natural Resources in opposition to the rule.

ILLINOIS DEPARTMENT OF NATURAL RESOURCES,
Springfield, IL, January 30, 2017.

Re The Stream Protection Rule and The Congressional Review Act.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER RYAN AND MAJORITY LEADER MCCONNELL: As the regulatory authority for administering the federal Surface Mining Control and Reclamation Act (''SMCRA'') in the State of Illinois, the Department of Natural Resources (''Department'') appeals Congress to use its power under the Congressional Review Act to disapprove the ''Stream Protection Rule'' (''Rule''), issued by the Office of Surface Mining Reclamation and Enforcement (''OSM'') at 81 Fed. Reg. 93066 (Dec. 20, 2016).

The Rule's ''one size fits all'' approach to regulatory performance standards fails to incorporate important regional differences, such as local geology, hydrologic regime, and climate, as required under SMCRA. For example, stream loss has rarely been a problem in the State of Illinois given the regional hydrogeology of the Illinois Basin. To universally require long term upstream and downstream monitoring would place an undue burden on the State to continually review such data. The rule gives no discretion to state regulatory authorities.

Despite the claims of OSM in its Regulatory Impact Analysis, the Rule would place significant burdens and additional costs on state regulatory programs. Compliance with the rule would require the Department to revise and restructure its entire coal mining program and add $600,000 to $800,000 per year in staffing and equipment costs.

OSM's failure to properly consult with the State of Illinois and the other states has resulted in a burdensome and unlawful Rule that usurps states' authority as primary regulators of coal mining as intended by Congress under SMCRA, and demands congressional action.

The Congressional Review Act provides Congress the authority to take action to avoid the harm imposed by the Rule. Accordingly, we respectfully request that you and your colleagues in the Congress pass a joint resolution disapproving the Final Stream Protection Rule under the procedures of the Congressional Review Act, S U.S.C. 801 et seq., so that it shall have no continuing force or effect.

Thank you for your careful consideration of this request.

Sincerely,

WAYNE A. ROSENTHAL,
Director, Department of Natural Resources.

Mr. RODNEY DAVIS of Illinois. In this letter, IDNR notes that the Office of Surface Mining failed to properly consult with the State of Illinois and the other States, resulting in a burdensome and unlawful rule that usurps States' authority as primary regulators of coal mining as intended by Congress and demands congressional action.

Mr. Speaker, rules like this are what the CRA is all about. I ask for your support.

Mr. GRIJALVA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself 1 minute.

The stream protection rule has got to be the poster child for the Congressional Review Act's action. There are 400 changes to the bill. There are 400 changes in over 1,600 pages of regulations, and there is no new, real protection above and beyond what we were using since the Reagan administration.

But it does outline benefits and potential problems for 70,000 people directly with their jobs, for 300,000 people whose jobs are threatened in a ripple effect, and, unfortunately, for everyone else. Every time you turn a light on, your costs will be exacerbated because of this particular rule.

This rule affects the most vulnerable of our population and it hurts them. It is time for us to realize that it is time to stop making rules and regulations for an ideological approach, and, instead, new rules and regulations that help people, not hurt people, as this particular one does.

That is why this House, on four different occasions over the last three congresses, has voted against this particular proposal.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our opposition to this action being proposed by the Republicans to eliminate the stream protection rule is, indeed, an action that goes against fundamental science, goes against the public health of the American people in those communities, and, overall, takes the Congressional Review Act and uses it as a bludgeon to keep generations and generations in those areas at risk in their health, their water, and the general environment in the area.

The issue of cost is an issue that comes up. The loss of jobs has been the creation of competition, not because of any proposed rule.

Second of all, when we were dealing with the horrors of black lung, we were dealing with issues of mine safety for coal miners and the struggles that their unions had to go through to get mine safety and healthcare protection for their workers.

At the time, I am sure, those were considered cost factors and why not do it. The cost factor here is about human life and it is about protection of water. I would suggest that that should be the priority of this Congress and not emboldening or enriching the mine operators and their profit line.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), my friend.

Mr. DEFAZIO. Mr. Speaker, I have been involved for 28 years on the Natural Resources Committee on these issues.

What we are talking about today is simple here. Yes, it is cheaper. If you blow the top off a mountain and you dump it in the valley and you bury a stream, it is cheaper. Okay.

Is that what we are all about here? The most destructive, least environmentally responsible, but cheapest way of doing things?

If we are going to set the precedent here, I can think of a whole lot of other areas that relate to clean water, clean air, and things that are important to the American people and the sustainability of our environment that will go away because it would be cheaper. If we can just dump the waste out the back door of the factory, that is cheaper.

□ 1500

If we can just put whatever we want up the stack and people wear gas masks, that is cheaper. That is the major argument we are hearing today. This rule, a 100-foot buffer—a 100-foot buffer—for toxic materials around streams is too expensive. It is cheaper to blow the top off the mountain, get the coal out, and take all the overburden and other assorted stuff and dump it in the valley and bury the stream.

The only problem is then it rains. What happens when it rains? Well, you can either cap that whole thing and make it impermeable and then have big runoff downstream or, as it generally happens, the water percolates down through all the waste and becomes a toxic flow.

Now, you say, well, these are only seasonal streams. Well, seasonal streams run into other streams. What happens when you get those toxic flows is you kill the other streams. I am seeing this actually in my district, not from a coal mine, but from a foreign corporation which improperly mined and went bankrupt and left us with the waste. I have seen the miles of stream that are killed from the toxics that are leaching out from the overburden from the mining that is done. This is an absurd place to say we are overregulated.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, in his last month in office, President Obama fired one last shot in his war on coal. By finalizing the so-called stream protection rule, the Obama administration made it more difficult for an already distressed industry to provide a reliable and affordable energy source for our economy.

In reality, the only thing President Obama tried to protect was the jobs of bureaucrats at the expense of hard-working Americans. This rule adds no new environmental protections. It only duplicates what Federal and State regulators are already doing to protect the environment.

Additionally, this rule could close off as much as half of the U.S. coal reserves for mining. The bureaucrats writing this rule did not truly understand the impact of this because, in the 7 years they took to write it, no one bothered to visit an actual mine.

We cannot allow out-of-control bureaucrats to regulate an industry that employs thousands of Americans out of existence simply to save the radical liberal agenda. I urge my colleagues to join me in supporting this resolution of disapproval of yet another regulatory overreach by the Obama administration.

Mr. GRIJALVA. Mr. Speaker, I urge a ''no'' vote. I think the arguments have been made. The precedent being set tonight by this House is a dangerous and extreme precedent that we will all come to regret. I urge a ''no'' vote.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. ROGERS), the former chairman of the Committee on Appropriations.

Mr. ROGERS of Kentucky. I thank the chairman for yielding me this time.

Mr. Speaker, President Obama made it his mission to bankrupt the coal industry when he took office, and through a slew of job-killing regulations, he has nearly made good on that promise. His administration spent 7 years and over $10 million in taxpayer dollars writing the stream protection rule. Even though the bipartisan 2016 omnibus appropriations bill directed the Interior Department to engage with the States before finalizing this rule, the agency refused to comply, leaving crucial voices out of the rulemaking process.

Under this midnight regulation, at least half of the Nation's coal reserves would be restricted from mining, and one-third of current coal-related jobs would be at risk. This would mean more devastating job losses in coal communities across the country, especially in Kentucky, where we have already got nearly 13,000 miners out of work.

It is time to end the madness and give our communities in the coal areas a chance to rebuild. I urge support of this resolution.

Mr. GRIJALVA. Mr. Speaker, I have no other speakers. I yield back the balance of my time.

Mr. BISHOP of Utah. I yield myself the balance of my time to close.

Mr. Speaker, we have heard a lot of false science today, which is appropriate since the agency that concocted this rule refused to allow any of the data they used to make the rule to be made public. We asked for it. We asked for it in legislation. They simply refused to comply. Ninety-three percent of the sites are not having any impact on the streams, and the other seven percent we already had rules that covered them that did this protection. There is no real new protection in this particular act.

The States, which regulate 97 percent of the coal mines in the United States, were shut out of the process, which is why they are suing over it. This rule undercuts the State primacy that was provided in the Surface Mining Control and Reclamation Act.

What we are doing here today with this effort is to reestablish the article I authority that we have in the Constitution by saying we are responsible for the policy, not some agency of the executive branch.

Adopting this resolution protects the rights of States tasked with regulating the coal industry in their borders, and it also actually helps people. People are going to be harmed if this act is not repealed and actually goes into effect, and the most vulnerable of our populations are the ones who will suffer the most because of it.

Because of that reason, it is right for Congress to do our responsibility here and now and repeal this bad act that was done in secret that was not allowed to have the openness that we have requested in the past and that is simply redundant at best, totally unnecessary, and does the harm that it does to real people: 70,000 direct jobs, over 300,000 indirect jobs, as well as a higher cost to everyone who uses energy in this Nation.

I ask my colleagues to support the resolution of disapproval and vote for its final passage.

Mr. Speaker, I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I stand in strong opposition to H.J. Res. 38, the resolution disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule.

I would like to express both my support of the Stream Protection Rule as well as my deep concern over the use of the Congressional Review Act to derail smart regulations that protect our citizens' health while simultaneously creating a precedent of recklessly obstructing federal rulemaking.

The Stream Protection Rule is an effective and sensible regulation that has undergone years of development in order to compel big polluters and industry actors to responsibly dispose of dangerous waste so that our water supply and ecosystems remain free of toxic pollutants. The attempt to dismantle this rule will cause irreparable harm to clean drinking water sources for millions of Americans. The Stream Protection Rule provides Americans with an environmental monitoring system that assures the cleanliness of the water.

The residents of the 4th District of Georgia, like many of the constituents of my colleagues, live alongside and depend upon rivers to be protected from harmful pollutants and toxic chemicals that are the product of mining and industrial run-off. Run-off from mining and industry sources contaminate stream water with various lethal toxins, including lead and arsenic. These pollutants not only impact the lives of people living in close proximity to the run-off sources of heavy pollutants, but all people who live downstream.

The water protected by this rule is the same water consumed by our families, including children and the elderly. Those exposed to carcinogens in their water can suffer from birth defects, cancer, and even death.

Clean and safe water is in the interest of all Americans, regardless of their income level or political party. It matters not whether a state is red or blue, access to clean water will always be necessary, and it should be mandatory. Clean water is a human right and this rule ensures our country can provide clean drinking water to its citizens.

I ask my colleagues this question: if the Stream Protection Rule is overturned are you prepared to tell your constituents and their families that their water will be less safe to drink or use?

I am not alone in my stance. More than 70 groups representing the interests of a wide-swath of American citizens have expressed their strong disapproval with this resolution. Two of these groups, the Savannah Riverkeeper and Altamaha Riverkeeper organizations, represent the environmental concerns of my home, the great state of Georgia. These groups along with dozens of others have expressed to our country's elected officials that a resolution of disapproval for the Steam Protection Rule would significantly jeopardize the well-being of millions of Americans.

By subjecting the Stream Protection Rule to the Congressional Review Act, we set a dangerous precedent in delegitimizing federal rulemaking procedure, while we elevate the interests of corporations over the health and safety of our citizens. The health of our nation's children must supersede the maximization of profits.

For the sake of the millions of Americans who rely on the safety regulations established by this rule, I strongly urge my colleagues to vote NO on the resolution. The citizens of our nation will thank you for putting their health first.

The SPEAKER pro tempore (Mr. HOLDING). All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRIJALVA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SECURITIES AND EXCHANGE COMMISSION

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 71, I call up the joint resolution (H.J. Res. 41) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to ''Disclosure of Payments by Resource Extraction Issuers'', and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 71, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 41

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Securities and Exchange Commission relating to ''Disclosure of Payments by Resource Extraction Issuers'' (published at 81 Fed. Reg. 49359 (July 27, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the joint resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.J. Res. 41, introduced by the gentleman from Michigan, (Mr. HUIZENGA), the chairman of the Subcommittee on Capital Markets and Government Sponsored Enterprises of the Committee on Financial Services.

This resolution disapproves a burdensome and controversial Securities and Exchange Commission rule that places an unfair burden on American public companies that is not applied to many of their foreign competitors.

Virtually every day we hear from many Americans about how this economy is just not working for them. It is just not working for working Americans like Keith from Dallas in my district who wrote me: ''I am 53. I have a grown son who lives with me. It seems like the cost of everything keeps going up, yet wages do not keep pace.''

The economic opportunities of Keith and millions of Americans like him are not helped by top-down, politically driven regulations that give many foreign companies an advantage over American public companies.

That is exactly what this Securities and Exchange Commission regulation that we are talking about today does. It forces American public companies to disclose inexpensive proprietary information that can actually be obtained by their foreign competitors, including state-owned companies in China and Russia. This is just one regulation out of thousands and thousands that are burdening our companies, our job creators, and are costing our households, by one estimate, over $14,000 a year, Mr. Speaker.

Even though this is a Securities and Exchange rule, section 1504 of Dodd-Frank has nothing to do with investor protection nor anything else we were told the Dodd-Frank Act was supposed to do. As the acting chairman of the Securities and Exchange Commission has said, this rule ''neither reforms Wall Street nor provides consumer protection and it is wholly unrelated, and largely contrary, to the Commission's core mission.''

In addition, Mr. Speaker, the SEC estimates that ongoing compliance costs for this rule could reach as high as $591 million per year. It is just an outrage, Mr. Speaker. That is $591 million every year that could better be used to hire thousands more Americans in an industry where the average pay is 50 percent higher than the U.S. average. Literally we could be talking about 10,000 jobs on the line for this ill-advised rule. This is significant, given that millions of Americans, like Keith from my district, have not seen their wages increase while our economy has been stymied under the Obama administration.

Now, for those who claim that somehow by rolling back this rule, that this undermines anticorruption efforts, let me remind everyone that Mr. HUIZENGA's resolution, that the Foreign Corrupt Practices Act, which the SEC and the Department of Justice administer, already makes it illegal to pay former government officials when it comes to winning or maintaining business opportunities.

To further prove the point, Mr. Speaker, just this year the SEC has brought enforcement actions or settled four separate cases for violations of this anticorruption law. So even without this SEC rule, fraud will still be fraud, corruption will still be corruption, and both will still be illegal. The SEC and the Department of Justice will still have the authority to vigorously pursue those who break the law and hold them accountable, as they well should. So no one, Mr. Speaker, should fall for this false argument of our opponents.

Let's also remember that this joint resolution does not repeal section 1504 of Dodd-Frank. I wish it did, but it doesn't. Rather, it vacates a flawed SEC rule that mimics a previous rule that was already struck down by a U.S. District Court. It is a rule that by the SEC's own estimates has taken 51 employees over 20,000 hours to promulgate, defend, and repromulgate. Fifty-one employees, 20,000 hours that could have been directed at rooting out Ponzi schemes, that could have been used to promote capital formation or make our capital markets more efficient.

□ 1515

Furthermore, this rule still goes far beyond the statute passed by Congress and mandates public specialized disclosures that cost more and more, and is more burdensome than the law requires.

So, Mr. Speaker, for those who religiously defend the Dodd-Frank law, they should be in vigorous support of what Mr. HUIZENGA brings to the floor today because the rule flies in the face of the Dodd-Frank Act. So when an agency exceeds its statutory authority, it is no longer regulating, Mr. Speaker, it is legislating. And all of us, Republicans and Democrats alike, should be able to agree that when the executive branch acts in such a manner, Congress has a duty, a duty under article I of the Constitution, to check this executive overreach.

As such, this House should wholeheartedly support Mr. HUIZENGA's resolution. It simply tells the SEC to go back to the drawing board, comply with the Dodd-Frank Act, and come up with a better role that will not put American public companies at an unfair disadvantage and cost us jobs.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

H.J. Res. 41 would roll back the SEC's rule that implemented an important congressional mandate in Dodd-Frank requiring oil, gas, and mining companies to publicly disclose payments made to foreign governments for access to their natural resources.

That rule helps fight corruption in the extractive industries sector, provides investors with crucial information on their investments, and enables citizens to demand greater accountability from their governments for spending that serves the public interest. It also helps to diminish the political instability in resource-rich countries, which is not only a threat to investment but also to our own national security.

Specifically, the disclosure rule enables shareholders to make better informed assessments of opportunity costs, threats to corporate reputation, and the long-term prospects of the companies in which they invest.

In addition, opening the extractive industries to greater public scrutiny is key to increasing civil society participation in resource-rich countries, which are often underdeveloped countries that are politically unstable, rife with corruption, with a history of civil conflict fueled, in part, by natural resources.

Moreover, the SEC's rule is a reasonable disclosure and places no limits or restrictions on who companies can pay money to, how much, or what for. After 5 years of robust debate and input, the final rule accommodated a number of industry concerns, providing companies with a generous 4-year phase-in period and a case-by-case exemption process for companies that face implementation challenges. The SEC also allowed companies to comply with the disclosure by using a report prepared for other substantially similar disclosure regimes, which include regimes in the European Union and Canada.

Nevertheless, Republicans continue to claim that the SEC's rule is harmful and puts American companies at a competitive disadvantage to their foreign competitors.

Well, Mr. Speaker, they are entitled to their own set of opinions, but they are not entitled to their own set of facts. I suppose these are alternative facts.

The truth is that U.S. companies are not the only ones required to make these disclosures. Many foreign companies must report under the U.S. rules, including a number of state-owned oil companies, such as China's PetroChina and Sinopec, and Brazil's Petrobras.

Also, after the SEC issued its initial rule in 2012, the rest of the world followed our lead, establishing a global standard for the public disclosure of extractive payments companies make to governments.

A wave of transparency laws have been adopted in foreign markets that mirror the U.S. law. This includes legislation in the European Union, Norway, and Canada, which are all now in force. These laws cover the vast majority of oil, gas, and mining companies that compete with U.S. firms.

Now, leading global oil companies like BP, Shell, and Total, as well as Russia's state-owned companies—Gazprom, Rosneft, and Lukoil—are entering their second year of reporting under EU rules without any negative impact.

So contrary to Republican claims, U.S. and foreign companies already compete on a more level playing field here and abroad. Therefore, rolling back the SEC's disclosure rule would directly undermine the interests of extractive companies in having a level playing field.

Worse, once the rule is nullified by this resolution, the SEC would not be able to put another rule in place that is substantially similar. This would create different reporting regimes directly contravening what companies have requested from the SEC. And, the SEC final rule accommodated industry concerns by including a generous phase-in period. U.S.-listed companies are not required to report until 2019. The rule also provides for case-by-case exemptions if covered companies face any implementation issues.

Therefore, the rule does not put U.S. companies at a competitive disadvantage, nor does it impose an unreasonable compliance burden.

I would also point out to my Republican colleagues the importance of the SEC's disclosure rule in protecting U.S. national security and energy security interests.

Specifically, it helps protect U.S. national security interests by helping prevent the corruption, secrecy, and government abuse that has catalyzed conflict, instability, and violent extremist movements in Africa, the Middle East, and beyond.

As ISIS demonstrated, nonstate actors can benefit from trading natural resources in order to finance their operations. Project-level disclosures in the rule will make hiding imports from nonstate actors more difficult, thereby limiting their ability to finance themselves with natural resource revenues.

Corruption and mismanagement of oil revenues destabilizes regions and leads to conflict. And, resource-rich countries like Venezuela, Iraq, and Angola are considered to be among the top ten countries perceived to be the most corrupt according to Transparency International.

In addition, transparency of Russian companies and its extractive industry is critical. The SEC's rule would create transparency of Exxon and other company payments to the Russian Government. Gazprom, Rosneft, and Lukoil are already disclosing under the U.K. rules, and BP has already reported payments to the Russian Government. The SEC's disclosure rule will make a crucial contribution as Russian citizens seek to follow the money received by their government.

A vote to roll back the SEC's resource extraction disclosures would be a vote to abandon U.S. leadership in the fight against global corruption.

I strongly urge my colleagues to oppose H.J. Res. 41.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. HUIZENGA), the chairman of our Capital Markets Subcommittee and the author of H.J. Res. 41.

Mr. HUIZENGA. Mr. Speaker, section 1504 of the Dodd-Frank Act was like

many other provisions that were ultimately included in the sprawling law. They had absolutely no relationship to the underlying cause of the financial and housing crisis.

However, some have used the financial crisis to hijack Federal securities law in order to push a socially motivated agenda. Specifically, section 1504 of the Dodd-Frank Act requires companies registered with the Securities and Exchange Commission to annually report payments such as taxes, royalties, fees, production entitlements, and those types of things made to a foreign or the U.S. Federal government relating to the commercial development of minerals, oils, and natural gas.

Companies subject to section 1504 must report the type and total amounts of these payments made for each project, as well as the type and total amounts of payments made to each government. These payments cover, as I said, taxes and other things that are really business expenses.

While this may be a laudable goal, using Federal securities law and the SEC to enforce social issues is inconsistent with the SEC's core mission and completely inappropriate. Just to remind everyone, the SEC's mission by law is to: One, protect investors; two, maintain fair, orderly, and efficient markets; and three, facilitate capital formation. I would liken what they are doing by having the SEC put this rule in place sort of like requiring your police department to be in charge of road repair, too. It is just not their expertise.

The SEC recognized this fact and stated that section 1504 ''appears designed primarily to advance U.S. foreign policy objectives,'' not investor protection or capital formation. Notwithstanding the merits of the underlying policy goals, conducting American foreign policy is not what Congress created the SEC to do. In fact, just moments ago, the U.S. Senate confirmed Rex Tillerson as the Secretary of State, and I would suggest that we let him direct our foreign policy. With all due respect to the commissioners and the SEC staff, none of them are really foreign policy experts.

As we debate this resolution, let's be clear on what this isn't about. Some have tried to argue that a vote to vacate this provision is a vote for corruption somehow. This couldn't be further from the truth. Now, I understand and sympathize with the sense and the feeling of this that this rule makes supporters feel better about themselves, but it does not solve the real world issues. This foreign rule that has been brought up is really like comparing apples and oranges with the foreign rules versus this particular rule. And if we allow them to rewrite this particular rule, we might actually mirror what the EU and what other foreign governments are doing.

Despite the claims to the contrary, H.J. Res. 41 does nothing to undermine the ability of the SEC and the Justice Department to police against foreign corruption. In fact, both of these agencies still have, at their disposal, Federal laws, including the Foreign Corrupt Practices Act, which prohibits bribing foreign officials.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman an additional 30 seconds.

Mr. HUIZENGA. And even without this SEC extraction rule in effect, fraud will still be fraud and corruption will still be corruption. Both will still be illegal activities that should be punished to the fullest extent of the law.

Voting for this resolution is a vote to right the ship. This is a vote to reset the regulatory process. Congress needs to send this flawed regulation back to the SEC drawing board and instruct the SEC to get the provision right by promulgating an appropriate rule under section 1504.

I urge my colleagues to support this resolution.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the ranking member of the Subcommittee on Capital Markets on the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I want to thank the gentlewoman for yielding to me, and for her leadership in so many areas, including her leadership on this joint resolution.

I rise today in strong opposition to the resolution, which would repeal an SEC anticorruption rule. I fail to understand why anyone in this body would want to repeal something that helps us fight corruption.

The SEC rule would require companies registered in the United States to disclose the payments that they make to foreign governments for the development of oil, natural gas, or other minerals.

Unfortunately, there is a long and very sad history of corruption where Big Oil or mining companies strike deals with foreign governments to extract their natural resources. Too often, the money from the oil or mining company ended up going to pay bribes to corrupt politicians and not to benefit the ordinary citizens of the country.

The SEC rule is intended to bring some basic transparency to these deals—that is all we are talking about, transparency—by requiring U.S. companies to disclose the payments they make to foreign governments—who the payments went to, how much they paid, who in the government got the money that should be going to the people.

□ 1530

It tells the people and the country where this natural resources money is going. This is just common sense, and it is outrageous and unbelievable to me that anyone would oppose simple transparency rules that combat corruption.

I have been a long-time supporter of this rule. I spoke in favor of it during the Dodd-Frank debate, and I sent a letter to the SEC urging them to finalize this rule as quickly as possible.

Mr. Speaker, I include in the RECORD this letter, on which I was joined by roughly 58 of my colleagues.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 11, 2014.

Re Implementation of Section 1504.

Hon. MARY JO WHITE,
Chair, U.S. Securities and Exchange Commission, Washington, DC.

DEAR CHAIR WHITE: We are aware that the Securities and Exchange Commission (SEC) recently announced its anticipated agenda for the next ten-month period, and that the agenda includes a proposal to initiate rulemaking for Section 1504 of the Dodd-Frank Act by March 2015.

While we are pleased that the SEC plans to begin focusing its attention on this important provision, which mandates revenue transparency in the extractive industries, we believe that the rulemaking for section 1504 should be on a swifter, more definite time line. We strongly urge you, therefore, to issue a proposed rule for public comment no later than the end of this year.

The initial rule issued by the SEC on August 22, 2012 adhered closely to the intent of the law, and we applaud the SEC for its forceful legal defense of the rule. In light of the District Court's July 2013 decision, which vacated the rule on procedural grounds but did not foreclose any regulatory options, we believe the Commission should issue a revised rule that is equally strong. The existing rulemaking record should provide the necessary basis to swiftly schedule a new rulemaking and to reissue a rule mandating public disclosure by company and by project with no exemptions. Anything less would undermine the intended purpose and benefits of Section 1504 for investors, companies, governments and their citizens.

We would note that after the SEC issued its rule in 2012, the rest of the world followed our lead, establishing as a global norm the public disclosure of oil and mineral payments by company and by project with no exemptions. The European Union and Norway passed disclosure laws modeled on the Commission's August 2012 rule. The Canadian government has committed to adopt the same requirements and plans to have legislation passed by April 2015 and regulations in place that summer. Several globally important oil and mining companies also support payment transparency at the project-level, citing significant business benefits, while others have begun voluntarily disclosing detailed payment information.

And in March, the United States was accepted as a candidate country in the Extractive Industries Transparency Initiative, which is a global effort designed to increase accountability and openness in these industries, and specifically requires project-level reporting in line with the standard set by Section 1504 and its sister legislation in Europe.

The implementation of Section 1504 is critical. Resource revenue transparency allows shareholders to make better-informed assessments of risks and opportunity costs, threats to corporate reputation, and the long-term prospects of the companies in which they invest. It is no surprise, then, that investors with assets worth over $5.6 trillion recently called on the SEC to quickly reissue a strong rule to align with transparency rules in other markets.

Public reporting of extractive payments is also fundamental to improving governance, curbing corruption, improving revenue management, and allowing citizens to demand greater accountability from their governments for spending that serves the public interest. This, in turn, can help create more stable and democratic governments, as well as more stable business environments, which contribute to the advancement of U.S. national security interests.

Since its passage, Congress has continued to support the strong implementation of Section 1504 rules. Last year, legislation to implement an agreement between the U.S. and Mexico to develop oil and gas reserves in the Gulf of Mexico (HR 1613) was significantly delayed when the House version of the bill included a waiver from Section 1504 requirements.

The White House strongly objected to the House bill precisely because of the waiver, and issued a Statement of Administration Policy calling the exemption unnecessary and claiming it would directly and negatively impact U.S. efforts to increase transparency and accountability in the oil, gas, and minerals sectors. Congress ultimately passed a version of the bill that did not include the Section 1504 waiver.

Importantly, the final legislation was supported by the same industry groups and lawmakers who initially alleged that Section 1504 would create conflicts of law and put American companies at a competitive disadvantage.

The court decision, along with data and analysis from the previous rulemaking process, has provided the Commission with a road map to develop a revised rule requiring public disclosure at the project level with no exemptions. We strongly urge you to prioritize setting out a swift and fixed timeline for the implementation of section 1504, including the release of a proposed rule for public comment no later than the end of 2014.

Sincerely,

Maxine Waters, Member of Congress; Peter A. DeFazio, Member of Congress; Carolyn B. Maloney, Member of Congress; Henry A. Waxman, Member of Congress; Gregory W. Meeks, Member of Congress; Eliot L. Engel, Member of Congress; Nita M. Lowey, Member of Congress; José E. Serrano, Member of Congress; Brad Sherman, Member of Congress; Wm. Lacy Clay, Member of Congress;

George Miller, Member of Congress; John Yarmuth, Member of Congress; Marcy Kaptur, Member of Congress; Carolyn McCarthy, Member of Congress; Allyson Y. Schwartz, Member of Congress; Keith Ellison, Member of Congress; Louise McIntosh Slaughter, Member of Congress; John Conyers, Jr., Member of Congress; Rosa L. DeLauro, Member of Congress; Michael E. Capuano, Member of Congress; Gwen Moore, Member of Congress; Karen Bass, Member of Congress;

Mark Pocan, Member of Congress; Raúl M. Grijalva, Member of Congress; Earl Blumenauer, Member of Congress; Alan S. Lowenthal, Member of Congress; Rush Holt, Member of Congress; Jared Huffman, Member of Congress; James P. Moran, Member of Congress; James P. McGovern, Member of Congress; Lois Capps, Member of Congress; Sam Farr, Member of Congress; William R. Keating, Member of Congress; Carol Shea-Porter, Member of Congress;

Katherine Clark, Member of Congress; Barbara Lee, Member of Congress; Betty McCollum, Member of Congress; Peter Welch, Member of Congress; Janice D. Schakowsky, Member of Congress; Jim McDermott, Member of Congress; André Carson, Member of Congress; Adam B. Schiff, Member of Congress; Paul Tonko, Member of Congress; Bill Foster, Member of Congress; Anna G. Eshoo, Member of Congress; Eleanor Holmes Norton, Member of Congress;

John B. Larson, Member of Congress; Matthew A. Cartwright, Member of Congress; Jerrold Nadler, Member of Congress; Charles B. Rangel, Member of Congress; Henry C. ''Hank'' Johnson, Jr., Member of Congress; Susan A. Davis, Member of Congress; Adam Smith, Member of Congress; Theodore E. Deutch, Member of Congress; Michael M. Honda, Member of Congress; Ann McLane Kuster, Member of Congress; Michael H. Michaud, Member of Congress; Zoe Lofgren, Member of Congress.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, let's also be clear about what the SEC's rules do not do. They do not place any restrictions on who companies can pay money to. It doesn't restrict how much money they can pay or what they can pay for. It doesn't stop corruption; it just simply says you have to report it so that the people in the country—and everyone—knows what is going on.

In fact, there was bipartisan support for this rule. The amendment to Dodd-Frank that required this rule was known as the Cardin-Lugar amendment because it was cosponsored by Republican Senator Dick Lugar. Senator Lugar was a long-time chairman of the Senate Foreign Relations Committee, so he understood the negative impact that these corrupt deals could have on developing countries.

The only reason—and I repeat, the only reason—to vote for this resolution is to help corrupt governments steal money from their people.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. I yield the gentlewoman an additional 1 minute.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I am going to repeat this phrase since people were knocking me out of order.

The absolute only reason they should vote for this—and I want to warn those on both sides of the aisle—is to help corrupt governments steal money from their people; so I strongly urge a ''no'' vote.

Now, several of my colleagues on the other side of the aisle have pointed out that the foreign and corrupt rule will take care of this, but the foreign and corrupt rule only covers bribery. It doesn't cover unjust enrichment. It doesn't cover governments stealing from themselves.

Use of the Congressional Review Act to strike the rule would prohibit the Commission from promulgating any rule that is ''substantially similar'' to that rule, effectively preventing it from ever fulfilling its statutory mandate in the Dodd-Frank Act, contrary to the will of Congress.

I urge a strong ''no'' vote.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. WAGNER), the subchairman of our Oversight and Investigations Subcommittee.

Mrs. WAGNER. I thank Chairman HENSARLING for the time.

I thank my colleague, Mr. HUIZENGA, the chair of the Capital Markets and Government Sponsored Enterprises Subcommittee, for his leadership on this issue.

Mr. Speaker, I am proud to cosponsor the SEC disclosure rule for resource extraction, which is an important tool for Congress to use in disapproving excessive red tape brought by Washington bureaucrats.

The previous administration placed crushing regulatory burdens on the American people. In 2015 alone, Federal regulations cost almost $1.9 trillion—nearly $15,000 per American family. This particular SEC regulation, which was issued by the Obama administration, regarding resource extraction disclosures will make it more expensive for our public companies that are involved with energy production to be competitive overseas with foreign state-owned companies.

Mr. Speaker, I am pleased to support this resolution of disapproval. The SEC has estimated that ongoing compliance costs for this rule could reach as high as $591 million annually and fully admit that it has the potential to divert capital away from other productive opportunities, like growing a business and creating jobs.

Securities law should not be used to advance foreign policy objectives, particularly when the compliance cost of implementing those objectives is so expensive—with no added benefit of investor protection.

While this rule had already been vacated before the U.S. District Court of D.C. in 2013, I am happy that, through this resolution of disapproval, Congress—we the people—can now weigh in as well on this harmful rule. I urge the passage of this resolution.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. FOSTER), a member of the Financial Services Committee and of the Science, Space, and Technology Committee.

Mr. FOSTER. I thank Ranking Member WATERS for yielding.

Mr. Speaker, I rise in opposition to H.J. Res. 41 and in support of the SEC rule requiring resource extraction companies to disclose payments to governments.

Historically, payment for resources is a huge source of corruption in developing countries, which, for most of us, is morally abhorrent; but what I want to talk about is the competitive advantage that we gain when we embrace the principles of the democratic rule of law, transparency, and morality that our financial system depends upon. We passed Dodd-Frank to strengthen our financial system in a time of crisis but also to make it more transparent and effective for American consumers and investors.

Section 1504 of Dodd-Frank directed the SEC to publish a rule requiring issuers to disclose the types and amounts of payments for each project and to each government annually. The provision improved disclosures made to financial regulators and to investors.

Private and public institutional investors—representing trillions of dollars invested on behalf of American families—voiced support to the SEC in favor of the rule. There are two main reasons for this support from institutional investors:

First, all investors want to be able to review payments to all governments, to assess the exposure the issuer may have to corruption risk. The SEC has jurisdiction over compliance with the Foreign Corrupt Practices Act, and investors need to know whether fines for potentially corrupt payments could be levied against firms in which they are considering investing.

Investors should always have the right to know material information about the firms, and systemic noncompliance with the law is always material. It should not take an event of noncompliance that has been uncovered by the regulators to inform investors when simple transparency requirements, like the annual reporting of payments, can alert them to the risk.

Secondly, some investors may simply want to stay away from investments in firms that make payments to certain governments. Many resource-rich nations in the developing world lack a democratic rule of law and are often governed by oppressive regimes that exploit their land and environment, extracting resources for their rulers' financial gain at the expense of their citizens. Investors have the right to know this information because they own the company and may feel a moral responsibility for its action.

For these two reasons, extractive payments are information crucial to an investor's analysis of an issuer's securities.

The United States equity markets are the most efficient in the world because we have strong disclosure laws and strong enforcement at the SEC. The disclosure of payments made to foreign governments is a relevant factor in valuing securities and is crucial to avoiding asymmetries in information, which can and will be exploited. These disclosures actually enable the market to police an issuer by punishing excessive payments to questionable governments with a devaluation of its equities.

In short, there are three market-based reasons to disclose payments to foreign governments:

First, these disclosures promote market integrity; second, they provide investors with crucial information for valuing securities; third, they enable investors to make ethical values-based decisions on where they allocate their resources—a right that we should be enhancing rather than eroding.

I urge my colleagues to vote ''no'' on H.J. Res. 41.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. BARR), the chairman of our Monetary Policy and Trade Subcommittee.

Mr. BARR. Mr. Speaker, section 1504 of the Dodd-Frank Act requires the Securities and Exchange Commission—an agency not charged with the responsibility of carrying out American foreign policy—to promulgate a resource extraction issuer disclosure rule. That regulation, which is the subject of today's resolution, requires publicly traded U.S. firms to disclose payments that they make to governments for the commercial development of oil, natural gas, or mineral resources.

The intent of the rule, as my colleagues on the other side of the aisle point out, is to allow local populations to see how much revenue is generated by their natural resources; but, in practice, if fully implemented, this rule will have a very negative impact on Americans and on the people it is purported to help.

First, the rule puts American firms at a severe competitive disadvantage, and we have talked about this before. Because section 1504 applies only to companies that are listed on U.S. exchanges, it forces them to disclose payments in detail in a way that would put them at a competitive disadvantage to non-U.S. companies, like those located in China. The SEC estimates that the initial cost of compliance for U.S. firms could be as high as $700 million and that the ongoing costs could be as large as $591 million annually. That is $591 million that American businesses could be putting to better and more productive use, like in creating jobs and investing in their workers. The SEC, itself, admitted that compliance costs would result in diverting capital away from other productive opportunities.

In addition, these disclosures will include sensitive commercial proprietary information and trade secrets that foreign state-owned competitors can use against American firms, and 50 percent of the firms that are likely to be obligated to comply with this rule are smaller reporting companies. While larger firms can more easily adjust their financial reporting systems in order to collect the required data or can even alter their business models to make the rule less burdensome, the smaller firms that will be forced to comply with this rule will have a very difficult time. This will lead to a consolidation in the industry, to a reduction in competition, and to higher prices for American consumers.

These projects are often carried out in countries with underdeveloped economies. As a result, they provide much-desired work for local populations, and they help improve the standard of living in the area, lifting many people out of poverty. This rule will stifle economic development in areas that need it most, potentially limiting the ability of these regions to thrive.

In conclusion, Mr. Speaker, this is not about investor protection. Instead, it is going to undermine capital formation, and it is going to hurt smaller firms, and it is going to hurt jobs in this country. The Securities and Exchange Commission, as it admits itself, is not in a position to conduct American foreign policy. Let's leave this to the State Department, and let's focus on SEC rules that are core to its mission: investor protection and capital formation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from Wisconsin (Ms. MOORE), the ranking member of the Subcommittee on Monetary Policy and Trade on the Financial Services Committee.

Ms. MOORE. I thank the ranking member.

Mr. Speaker, I rise in strong, strong opposition to this legislation that seeks to overturn carefully crafted SEC anticorruption rules for extractive industries.

Section 1504 requires that gas and oil companies that are listed on U.S. exchanges to disclose payments made to foreign governments. Congress mandated these rules in Dodd-Frank, and it was a bicameral decision. It was thoughtful and bipartisan. There were multiple hearings in both Chambers and a conference report.

These Dodd-Frank rules were the first of their kind, and they have become the model for 30 other industrialized countries' own rules. These rules have been so necessary because of the so-called resource curse, in which we have seen countries—particularly Africa—that have lots of resources, but there is widespread poverty because of the corruption of these extractive industries. Surprisingly, these companies have implemented them, and they are currently complying with them globally.

Now, we have heard a whole lot of whining and, quite frankly, lying about how these regulations have cost us jobs; but, certainly, the Obama economy has created a lot of prosperity. In fact, Mr. Speaker, investor advocates at asset management companies and civil society groups that are fighting corruption and instability support these rules. We should be supporting them. In fact, companies that have $10 trillion under management say that these disclosures help them manage risk.

□ 1545

Now, I am not going to go into a long-winded explanation of the ills and issues related to illicit payments related to extractive industries to foreign governments. We know about them. I guess that we are appalled by this vote, but I guess it's the beginning that we are going to be appalled for the next 1,500 days.

It shouldn't be surprising, Mr. Speaker, that the friend and ally of Russian leader Vladimir Putin—and now President Trump's nominee for Secretary of State—Rex Tillerson lobbied against this very rule when he was at Exxon. Specifically, he said it would hurt their Russian operations. Transparency will hurt ExxonMobil's Russian operations.

So the question has just got to be asked, Mr. Speaker: What does that mean?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Speaker, just the implication that transparency is going to hurt Putin's Russia is prima facie proof that we need these rules.

What payments to Putin does Rex Tillerson not want shareholders and the American people to see?

Today, we should be demanding more transparency and not less from the most conflicted President and administration in history. We are now trying to make transactions less apparent.

All my colleagues should reject this joint resolution, not only on substance, but it is an abuse of the Congressional Review Act.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, we are all painfully aware that Washington's financial control law, Dodd-Frank, is full of provisions that have nothing to do with protecting consumers or preventing another financial crisis.

The SEC rule in question today is no exception. This politically motivated rule, tucked into a provision under the miscellaneous provisions of Dodd-Frank, fails to advance the core mission of the SEC, which is to protect investors, maintain fair, orderly, and efficient markets, and facilitate capital formation.

Ensuring that payments by oil, gas, and other mineral companies are transparent and accountable is a worthwhile public policy goal, but it is outside the securities laws' core mission of investor protection.

Not only should this rule and its enforcement fall outside the purview of the SEC, but the rule itself is fundamentally flawed.

Like so many rules and regulations emanating from Dodd-Frank that harm our economy, it is more complex and costly than is required by statute, which calls into question the extent to which it meets the SEC's economic analysis requirement.

The SEC itself estimates the cost for compliance at between $239 million to $700 million initially and from $96 million to $591 million annually after that.

I am also concerned that this rule could force companies to withdraw from certain countries. Among other things, some foreign countries have laws to prohibit the sort of disclosures called for in this rule.

Since the rule provides no exemptions, American firms may be forced to abandon business ventures that provide jobs and opportunities for Americans.

I understand that some opponents of our effort have tried to label the SEC's policy as an anticorruption rule. It is important to keep in mind that nothing in today's resolution to repeal the rule undermines the ability of the SEC or the Department of Justice to fight corruption. Even without this rule, the Foreign Corrupt Practices Act remains in force and any corrupt activities by Americans will be prosecuted to the fullest extent of the law.

The rule under consideration today, however, is unnecessary, poorly written, outside the core responsibilities of the agency, and it would impose significant costs on publicly listed companies with no discernible benefit.

I urge my colleagues to support this resolution.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO), a senior member of the Financial Services Committee and the Transportation and Infrastructure Committee.

Mr. CAPUANO. Mr. Speaker, let's be honest, guys: leveling the playing field, capital formation. Come on.

All this rule was written for is to expose bribery. There is no line in any corporate report that says: paid for bribery. It comes up as royalty fees. It comes up as gifts. It is bribery, pure and simple.

Every company in a foreign country is subject to it, especially a Third World country, especially when it comes to natural resources, and we all know it.

If you think this rule is overbroad, yet you are still truly appalled by bribery and the results of it, submit some other option for us to do it. That is all this rule was ever meant to do.

Give us an alternative, as opposed to simply repeal this. It is just like health care; you complain, complain, complain, but no alternative.

Honestly, if you put forth a proposal that says the Foreign Corrupt Practices Act is now legal, it is okay to have bribery, but you have to report it, people like me might be open to it. I understand.

Mr. HUIZENGA. Will the gentleman yield?

Mr. CAPUANO. I yield to the gentleman from Michigan.

Mr. HUIZENGA. Mr. Speaker, I will point out, though, what my resolution does, is it directs the SEC to go back to the drawing board. It is not our job to write the rule. You are asking for that proposal. The SEC wrote a rule; it got struck down by the courts. They got sued again.

Mr. CAPUANO. Mr. Speaker, reclaiming my time, I respectfully disagree. This, for all intents and purposes, prohibits them from doing it, number one.

Number two, you have an obligation. You have an obligation, if you don't like what exists, to propose an alternative. That is the way the world should work.

Every time we don't like something, we offer an alternative. You don't have to like the alternative, but there is an alternative offered.

MR. HUIZENGA. Will the gentleman yield?

Mr. CAPUANO. I yield to the gentleman from Michigan.

Mr. HUIZENGA. Mr. Speaker, I would be happy to write a rule. I am not sure that the gentleman from Massachusetts would be happy with it. I am not sure that the SEC would be happy with it.

Again, having that debate here in the well of the House, I was not here for the writing of Dodd-Frank. I am dealing with the echo effects of it, and that is what we are trying to do right now. So rather than us having that, I put it back to the SEC.

Mr. CAPUANO. Mr. Speaker, reclaiming my time, I respect the gentleman's intentions on this. I understand the concept of a level playing field. If the Chinese are bribing a Third World country, we should be able to compete with them. If that is the case, make our companies allowed to bribe them, as long as we know what is going on. Now, I don't know how you are going to write that law, but I am happy to work with you any time you want.

Here is the problem: bribery is insidious. It is secretive. It can't be found.

Now, I am a Catholic. I probably am not the best Catholic in the country. I think we could probably all agree to that.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 1 minute to the gentleman from Massachusetts.

Mr. CAPUANO. Mr. Speaker, the basic tenets are pretty clear. Here is what they write, one line from the U.S. Conference of Catholic Bishops: '' . . . where governance is weak and corruption is rampant extractive, industry revenue that is not transparent becomes a curse that deepens poverty, destroys democratic institutions, defrauds elections and allows autocratic leaders to remain in power against the will of the people.''

If you really believe that people around this world should benefit by true and open democracy, you have to provide them the opportunities to do that. I happen to agree with the bishops.

If you want to allow our companies to bribe foreign governments, say it. I don't like it, but it is a reality of the world. They have been doing it for generations.

That is all this attempt was. And to simply repeal it says: It is open business day, guys. Go in, pass the cash around, stick it to the regular people, and don't tell them about it.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Speaker, I thank my colleague from Michigan (Mr. HUIZENGA) for offering the resolution under consideration today.

This resolution of disapproval will repeal the SEC's resource extraction rule, which imposes burdensome disclosure requirements on public companies engaged in the commercial development of natural gas, minerals, and oil.

The SEC's mission is to protect investors, maintain efficient markets, and facilitate capital formation. Unfortunately, the resource extraction rule is well outside the bounds of these mandates, which acting SEC Chair Michael Piwowar noted in his dissent of the rule saying that it " . . . neither reforms Wall Street nor provides consumer protection and it is wholly unrelated, and largely contrary, to the Commission's core mission."

When our businesses are being overwhelmed by compliance obligations, it is crucial that our regulators do everything in their power to ensure regulations do not actively disrupt growth by enforcing nonmaterial, socially motivated disclosures like those included in the resource extraction rule.

The SEC itself has admitted that this rule will be costly. The SEC estimates that the ongoing compliance cost for the resource extraction rule could reach as high as $592 million annually and noted that the disclosure requirements could result in capital being diverted away from productive opportunities. An agency tasked with maintaining efficient markets and facilitating capital formation should not be promulgating unnecessary and burdensome rules like this.

Dodd-Frank is full of examples like the resource extraction rule that require Federal agencies to engage in rulemaking on topics outside of their substantive experience and jurisdiction. In the future, I urge my colleagues to craft legislation in a bipartisan manner that only requires actions consistent with the mission of the applicable agency. Until then, however, it is necessary for Congress to exercise its oversight power to unwind these misguided regulations that have hampered economic growth.

I am happy to lend my support to this resolution and encourage my colleagues to support this commonsense measure.

Ms. MAXINE WATERS of California. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman from California has 7 minutes remaining. The gentleman from Texas has 11½ minutes remaining.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, I rise today in strong support of this resolution, providing congressional disapproval of a rule submitted by the SEC relating to disclosure of payment by resource extraction issuers.

Section 1504 of the Dodd-Frank Act requires a public company engaged in the commercial development of natural gas, minerals, or oil to report payments made to foreign governments for these natural resources.

At a time when our President and my Republican colleagues are looking to cut regulations on businesses, the SEC estimates that ongoing compliance costs for this rule to be as high as $591 billion. Let me say that again: one agency, one rule, $591 billion.

Let me go back to something many of my colleagues have already mentioned today, the SEC mission. I will quote from their own website. The mission of the SEC is to "protect investors, maintain fair, orderly, and efficient markets, and facilitate capital formation."

If investor protection is truly the mission of the SEC, then why was this provision of the Dodd-Frank listed in the section titled "miscellaneous provisions"?

Mr. Speaker, American companies should be protected, and no one denies that. But to put them at a competitive disadvantage against their foreign counterparts by implementing this rule is just plain wrong.

Now, my friends on the other side of the aisle will argue that Republicans are gutting an important transparency policy meant to combat corruption. Well, Mr. Speaker, my response to those claims are this: Republicans are the party of transparency. We value accountability. But in this instance, the Dodd-Frank Act instructed a Federal agency, without any substantial experience in resource extraction or foreign policy, to craft this mandatory disclosure for certain public companies. As many of my colleagues have said today, industry is already publicly disclosing the work they do in foreign countries and will continue to do so. The difference is simple; they do it at a level that does not cause competitive harms.

Mr. Speaker, I urge my colleagues to support passage of this resolution and erase a top-down, Washington-knows-best provision that is harmful to American companies and American investors. We should and can do it better.

In God We Trust.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Speaker, I rise in support of H.J. Res. 41. As you have heard today, it has an immense cost to our economy. The SEC estimates, as you have heard from other Members, up to $590 million per year, Mr. Speaker. Now, think about that. That is $5 billion over 10 years. And if we put a 10 multiplier on it, that is $50 billion of investable capital that could be put out for productive use helping the world have more mineral resources. Instead, it goes to this ill-advised rule.

□ 1600

In the past two decades, the United States has lost more than 50 percent, Mr. Speaker, of its public companies, in large part due to the costs and regulatory burdens of being associated with being a public company. Dodd-Frank's resource extraction rule piles on even more harmful red tape for those publicly traded companies in the United States that are global energy providers.

As this rule only applies to publicly traded companies, this increased burden puts U.S. companies at a disadvantage. Over 75 percent of the extracted minerals are owned by state-owned enterprises, Mr. Speaker, that are not covered by this rule. That puts our companies at a competitive disadvantage. It requires our companies to reveal confidential information, putting our companies at a competitive disadvantage.

And if, Mr. Speaker, the people want transparency, the best way to handle that is through self-disclosure through global transparency and accountability. There are important public policy goals, and 51 countries have entered into the Extractive Industry Transparency Institute, which is self-reporting and publishing, by country, by company, both public and private, these important issues about mineral extraction.

Finally, Mr. Speaker, if it is about corruption, our friend, Senator Proxmire from Wisconsin, long ago, in the 1970s, passed the Foreign Corrupt Practices Act. There is no more act feared by global corporate America than complying with the Foreign Corrupt Practices Act and ensuring that our companies, our shareholders are not prone or party to bribery.

I support this resolution.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. TROTT).

Mr. TROTT. Mr. Speaker, I rise in support of H.J. Res. 41, offered by my good friend, Mr. HUIZENGA. This resolution is simple. It repeals an onerous rule that puts American manufacturing and energy companies at a global disadvantage.

Both foreign and American companies sell products and energy in our economy, but only American companies are required to jump through additional hoops, regulations that cost billions of dollars and pass on hundreds of millions of dollars to consumers. Michiganders know all too well what happens when government tips the scale in favor of foreign companies: jobs are lost overseas, and the investment necessary to create jobs is delayed or canceled.

My friends across the aisle have suggested that this resolution is about bribery. It is not. This resolution and, in fact, the election on November 8 is about jobs, the loss of American jobs.

Manufacturers in Michigan don't need special treatment. The unparalleled product of hardworking men and

women in Michigan speaks for itself. But I think we can all agree that the American Government should be their ally, not their opponent. Repealing this rule does just that.

I encourage my colleagues to support this resolution.

Ms MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUDD).

Mr. BUDD. Mr. Speaker, this resolution would overturn a Securities and Exchange Commission rule that, according to the agency, is supposed to ''help combat global corruption and empower citizens of resource-rich countries to hold their governments accountable. . . .''

Well, that is a grand idea, but we have a financial regulator to protect the American investor, not to combat global corruption or empower citizens for other countries. I am sure we could send the SEC off to fight any number of other international problems—religious oppression, authoritarian regimes, malaria, maybe even leprosy.

The question is if a financial regulator mandated to combat all these things can fulfill its core mission to provide financial transparency and prevent fraud. Given that we had a financial crisis that the SEC didn't foresee and did nothing to prevent, that would suggest that it needs even less on its plate, not more. What this joint resolution does is put the American investor first and help us to stop sending the SEC off on global rabbit trails.

I urge a ''yes'' vote.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Speaker, if you opened up your copy of Dodd-Frank, this big thick book with 2,300 pages of microscopic print, and went all the way back to title XV, way back in the back, under ''Miscellaneous Provisions,'' you would find excessive complexity and a regulation that only breeds corruption, not the other way around.

In these provisions lies section 1504, which directs the SEC, the Securities and Exchange Commission, to adopt a rule requiring resource extraction issuers to report payments to the U.S. and foreign governments for the commercial development of certain natural resources and make them available to the public.

Though we all fully support transparency and accountability, I believe that section 1504 fails to protect investors while simultaneously decreasing the productivity of capital markets and competition in the marketplace. This rule has stifled job growth and expansion.

The SEC estimated that the cost of the new rule would be somewhere between $239 million and $700 million in initial startup compliance costs alone. After the first year, the SEC projects it would be an annual ongoing cost of compliance ranging from $100 million to $591 million. Rather than this rule, companies could reinvest these dollars into creating opportunities for local communities, which will result in the creation of more good-paying jobs for Americans.

My district in central New York and the Southern Tier has the highest or one of the highest unemployment rates in the Nation and a lower median household income than the national average. Section 1504 is merely another example of how bureaucratic government overreach can result in lost opportunities for the people in the 22nd District of New York and all hard-working American workers. However, instead of taking this opportunity to empower our citizens who are eager to get back to work, we are fueling additional costly government regulations.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HENSARLING. I yield the gentlewoman an additional 30 seconds.

Ms. TENNEY. Let me emphasize, we are not eliminating the SEC's or the DOJ's enforcement authority. We are simply asking them to revisit this rule. Both of these agencies still retain their power to ensure a level playing field and to root out corruption.

It is important we recognize that vacating this rule is part of the joint resolution. I urge my colleagues to vote in favor of this resolution.

Mr. HENSARLING. Mr. Speaker, I am prepared to close. I have no other speakers at this time.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Include a number of articles in the RECORD. One is a Bloomberg article, entitled: ''Exxon Set for Early Victory As Congress to Rescind Payments Rule.'' The other one is a Politico Magazine article that says: ''Tillerson tried to get this rule killed. Now Congress is about to do it for him.'' The other article is a Washington Post article: ''One of House GOP's first targets for regulatory rollback is tops on the oil industry's wish list.''

[From Bloomberg Government, Jan. 30, 2017]

EXXON SET FOR EARLY VICTORY AS CONGRESS TO RESCIND PAYMENTS RULE

(By Catherine Traywick)

For years the oil industry has appealed to the executive branch and courts to de-fang a U.S. rule forcing Exxon Mobil Corp., Chevron Corp. and other producers to disclose their payments to foreign governments.

Now, the Republican takeover in Washington is handling it for them.

The House of Representatives is set to vote this week on killing a Securities and Exchange Commission edict that requires publication of overseas payments by oil, natural gas and mining companies. The industry says the rule, part of the 2010 Dodd-Frank act, gives global rivals a competitive edge. Backers say it will help keep payments to foreign nations in government coffers, not private pockets.

''To roll it back would be a complete abdication of U.S. initiative and leadership on issues of corruption,'' said Daniel Kaufmann, president of the Natural Resource Governance Institute, an International transparency watchdog.

The SEC rule, set to take effect next year, is one of a series of Obama administration regulations Republican lawmakers are trying to reverse using the Congressional Review Act, a law that allows Congress to undo regulations with a simple majority vote.

Congress also plans to vote this week to kill rules curbing methane venting and mountain-top mining. To do so, both chambers must pass a resolution disapproving the rules, which the president would then have to sign. While President Barack Obama would have reliably vetoed such resolutions, President Donald Trump is likely to sign it.

Trump argues that curbing regulations is key to unleashing investment by U.S. companies. He pledged to rescind two existing regulations for each new one that's issued.

''The SEC's rule forces U.S. companies to disclose proprietary information to its competitors while foreign entities do not. This can give some large industry players an advantage on future business projects,'' the American Petroleum Institute, an industry group, said in a statement.

House Majority Leader Kevin McCarthy pledged in a Wall Street Journal op-ed, to ''take the ax'' to the SEC rule, which he characterized as ''an unreasonable compliance burden.''

Transparency advocates dismiss that argument, pointing out that the European Union and U.K. already require such disclosures from some of Exxon's biggest competitors. BP Plc, Total SA and Royal Dutch Shell are among those that annually report taxes, bonuses and other payments to foreign governments.

U.S. ADVANTAGE

Because Exxon and Chevron aren't listed on the European exchanges, they don't have to comply with the EU disclosure rules. That may give them an edge over other oil majors who must report project-level payments, critics say.

In its 2015 disclosure to the UK, Rosneft reported $29.8 million in payments to the Russian Federation, Vietnam, Brazil and Norway. In the same year, BP reported $15.2 billion in payments to 23 countries, Total disclosed $16.7 billion to 44 countries, and Shell reported $21.8 billion to 24 countries.

The idea behind the measure is simple: If foreign oil companies disclose payments of $1 million to the government of Country X, then the lawmakers and citizens of Country X will know that $1 million should show up on the country's budget. If less shows up, that means it has been diverted for private use.

ExxonMobil and Chevron say they support financial transparency in the oil sector. Both are members of an advisory committee under the Interior Department that oversees a voluntary corporate financial disclosure program.

SEC COMMENTS

In comments to the SEC, the companies say they would support a version of the regulation that protected company-specific data. They argue that the current SEC rule would make available potentially valuable company information to state-owned competitors such as Saudi Aramco and Cnooc Ltd., neither of which are subject to the disclosure rules.

The American Petroleum Institute successfully challenged an earlier version of the rule in court, forcing the SEC to rewrite it.

API asked the agency to consider a reporting model that detailed payments by resource type and production method—omitting company-specific data. But, the SEC didn't adopt that approach.

''The SEC largely ignored industry's comments,'' said Exxon spokesman Bill Holbrook. While the final rule included exemptions for acquired companies and exploratory activities, it ''remains based on the EU's model and likely will adversely affect the ability of publicly-traded companies to compete globally,'' he said.

A Chevron spokesperson did not respond to a request for comment.

PATTERN OF BEHAVIOR

Transparency advocates say they're concerned that the repeal effort is part of a pattern of behavior among Republican lawmakers.

''The GOP that tried to gut the ethics committee is trying to gut a critical anti-corruption law,'' said Jana Morgan, director of the advocacy group Publish What You Pay. ''It sends a really disturbing message.''

The planned vote is generating tension among members of the anti-corruption advisory committee on which Exxon, Chevron and API sit. The panel, made up of representatives from government, industry and civil society, publishes an annual report detailing U.S. government revenues from the oil, natural gas and mining industries, as well as voluntarily reported payments made to the U.S. government from companies in those sectors.

Civil society members of the committee say Exxon's opposition to the SEC rule jeopardizes its standing on the panel. At a meeting on Wednesday, members will discuss whether Exxon, Chevron and API should keep their seats at all.

''I really have to question whether it's appropriate for companies like Exxon and Chevron and API to continue to sit around this table,'' said Zorka Milin, an attorney with the anti-corruption group Global Witness, and a member of the advisory committee.

[From POLITICO Magazine, Feb. 1, 2017]

TILLERSON TRIED TO GET THIS RULE KILLED. NOW CONGRESS IS ABOUT TO DO IT FOR HIM

(By Michael Grunwald)

The leader of the world's most valuable company doesn't typically fly to Washington to fight one obscure amendment to a 2,300-page bill, especially a motherhood-and-apple-pie-style amendment designed to prevent and expose corruption abroad. But back in 2010, ExxonMobil's then-CEO, Rex Tillerson, was deeply worried about Section 1504 of the Dodd-Frank Wall Street reforms, a bipartisan amendment that required drilling and mining companies to disclose any payments they make to foreign governments. So Tillerson and one of his lobbyists paid a half-hour visit to the amendment's Republican co-author, then-Sen. Richard Lugar, to try to get it killed.

Tillerson argued that forcing U.S. oil firms to reveal corporate secrets—such as paying foreign governments—would put them at a competitive disadvantage. He also explained that the provision would make it especially difficult for Exxon to do business in Russia, where, as he did not need to explain, the government takes a rather active interest in the oil industry. But Lugar believed greater transparency could help alleviate the ''resource curse'' of corruption that plagues so many mineral-rich countries, so he told Tillerson they would have to agree to disagree. Section 1504 stayed in the bill, the bill became law, and the disclosure requirement became an international example: France, Canada and the United Kingdom all went on to use it as a model for similar rules.

Seven years later, Republicans are preparing to confirm Tillerson today as President Donald Trump's secretary of State, despite allegations that he's too cozy with Russia. At the same time, the GOP is preparing to try to kill the disclosure rule created under Section 1504, despite warnings from international aid groups that the move would provide a wink-and-nod blessing to hidden corporate payments to petro-thugs. The House is expected to act Wednesday afternoon, and since the move relies on a special mechanism for reversing rules enacted late in a presidential term, Senate Republicans will need a mere majority rather than a filibuster-proof 60 votes to follow suit.

So after all of Trump's promises to drain the swamp, an anti-anti-corruption bill pushed by Big Oil and his own top diplomat might be the first policy legislation to reach his desk.

''It would be a real tragedy for democracy and human rights,'' says Lugar, the former chairman of the Senate Foreign Relations Committee, who now leads a center in his name focusing on global issues. ''It's hard to believe this would be such a high priority right now.''

The so-called resource extraction rule is not one of President Barack Obama's most prominent legacies, but one reason getting rid of it is such a high Republican priority is that it's one of his most vulnerable legacies. That's because it was only finalized last June; two weeks too late to avoid scrutiny under the Congressional Review Act, a law allowing Congress to strike down end-of-term regulations with simple majorities. The CRA has only been used once before, when Congress erased a Clinton-era workplace ergonomics rule in 2001. But now that the Republicans have control of both houses of Congress and the White House, they hope to use the CRA to wipe out a variety of Obama rules, starting Wednesday with this and another measure opposed by extractive industries, a ''stream protection'' rule restricting discharges from mining operations.

Aside from anti-Obama politics, the other reason gutting the Section 1504 rule is a high priority for Republicans is that their supporters in the oil industry really hate it. In fact, oil interests successfully sued to block an earlier version of the rule, contributing to the delays that pushed the final rule past the Congressional Review Act deadline.

On Tuesday, American Petroleum Institute president Jack Gerard sent a letter to House leaders reiterating the industry's long-standing complaints that the rule would damage the competitiveness of U.S. firms. He noted that America already has laws like the Foreign Corrupt Practices Act that specifically ban U.S. firms operating abroad from making illicit payments, describing the additional rule as regulatory overkill. And he said the rule injected the Securities and Exchange Commission into a ''social agenda issue'' that had little to do with its mission of policing fraud and protecting investors. By striking it down, Gerard wrote, ''Congress can reclaim its authority, and in the process protect American companies, workers, and investors.''

Tillerson alluded to those competitiveness arguments in his written responses to Senate questions about his confirmation, noting that since the Section 1504 rule would impose restrictions on U.S.-based companies, part of his job as secretary of State would be to make sure ''foreign companies or investors do not get an unfair advantage by cheating or keeping to a lower standard.'' But groups that specialize in fighting global poverty and corruption argue that those arguments make no sense now that foreign nations have adopted similar rules; in fact, conglomerates like BP, Total and even Russian oil majors listed in London have already filed disclosures under those rules. A blog post on the issue on Tuesday from Oxfam America—which sued the Obama administration in 2014 for moving too slowly to revise the rule after the initial effort was struck down in court—was titled ''From Russia With Love,'' characterizing the GOP effort as a gift to Vladimir Putin and other authoritarian leaders of resource-rich countries.

''Why would Congress want to take a stand for facilitating corruption?'' asked Jana Morgan, director of Publish What You Pay USA, a coalition of groups focused on accountability in the extractive industries. ''Why would anyone want to help the oil industry hide payments to kleptocracies?''

Lugar pointed out that in 2010, his amendment introducing Section 1504 with Democratic Sen. Ben Cardin had a fair amount of bipartisan support. But so far, no Republicans have come out against the resolutions to strike it down, filed by Bill Huizenga of Michigan in the House and Jim Inhofe of Oklahoma in the Senate. If the GOP can cobble together a majority for the resolution in the Senate, Democrats can spend five hours of floor time delaying it, but they can't stop it. And nobody seems to think that Trump, who had lunch with Tillerson Wednesday, would veto it, regardless of his fiery rhetoric about taking on special interests. The White House did not respond to a request for comment.

Most of Obama's most important regulations, like his Clean Power Plan to rein in greenhouse-gas emissions or other Dodd-Frank financial rules designed to rein in Wall Street, were completed early enough to avoid Congressional Review Act challenges. Trump and the Republicans will have to take on protracted legislative and judicial fights to kill those rules. But there are plenty of less prominent late-term rules that Republicans can take on if they're willing to devote the floor time, on issues ranging from paid sick days for federal contract workers to energy efficiency for ceiling fans to carcinogenic beryllium in the workplace.

In general, the rules that are most likely to face challenges are the rules that could cause problems for the best-connected Republicans. And the kind of rules that inspire impassioned lobbying campaigns by the CEOs of mega-corporations like Exxon Mobil seem unlikely to survive in the current Washington environment.

''It's a tough political landscape,'' says Zorka Milin, a senior legal adviser for the anti-corruption group Global Witness. ''The issue of corruption ought to resonate with both parties, but we know this won't be easy to stop.''

[From the Washington Post, Feb. 1, 2017]

ONE OF HOUSE GOP'S FIRST TARGETS FOR REGULATORY ROLLBACK IS TOPS ON THE OIL INDUSTRY'S WISH LIST

(By Steven Mufson)

One of the House Republicans' first targets for regulatory rollback is torn from the oil industry's wish list: eliminating recent Obama administration requirements that oil, gas and mining companies divulge more information about business payments they make to foreign governments.

A House resolution this week, which aims to scrap the transparency rule imposed by the Securities and Exchange Commission, is one of the first measures that seeks to use the Congressional Review Act to undo regulations adopted during the final months of the Obama administration.

And it comes at a potentially awkward moment for former ExxonMobil chief executive

Rex Tillerson, who opposed the SEC regulation and who is now awaiting confirmation for the position of secretary of State.

The review act could be used to nullify regulations dating back to June last year, experts on the law say.

In this case, the SEC drafted the regulation in response to directions in the Dodd-Frank financial reform legislation. The directive was in an amendment backed by Sen. Ben Cardin (D–Md.) and then-Sen. Richard Lugar (R–Ind.). ''Information is power,'' Lugar said at the time. ''It is power for shareholders and power for citizens living under oppressive regimes.''

The SEC says that it would ''combat government corruption through greater transparency and accountability.''

But the SEC's first version of the regulation was struck down by a federal district court in the District of Columbia after the American Petroleum Institute and U.S. Chamber of Commerce filed suit in 2012. That prompted a second attempt by the SEC. Because the final version was imposed near the end of the Obama administration, it now falls within the time frame that permits Congress and the president to use the review act to undo the regulation.

The oil industry has been particularly incensed about the regulation, complaining that the SEC rule would put them at a competitive disadvantage to foreign firms and be unduly expensive.

The SEC has argued that the rule would help fight corruption not only by companies but by governments around the world. It has also noted that global companies have begun to provide, on a voluntary basis, more comprehensive disclosures. In December 2015, then-commission member Luis A. Aguilar said that at least two large resource extraction companies were already providing payment disclosure on a project basis, and at least one other major resource extraction company was voluntarily providing other disclosures.

''Other global companies are also beginning to open their books to permit a window into their resource extraction payments to foreign governments,'' he said.

But Jack Gerard, president of the American Petroleum Institute, said in an interview that big oil and gas companies compete with state-owned companies that do not have disclosure requirements and that the SEC rule would allow those companies to win contracts after seeing what U.S. firms pay.

''We think it's a regulation that would have an unintended consequence of hurting U.S. business's ability to compete,'' he said. He said the SEC's requirement that information be provided on a project basis was particularly objectionable.

He also cited the SEC's own estimates of the cost the regulation would impose on oil, gas and mining companies. Gerard said compliance would cost between $96 million and $591 million annually for the entire industry. On an individual corporate basis, that would work out to $225,000 to $1.4 million a year, Gerard said.

ExxonMobil spokesman William F. Holbrook said ''the SEC largely ignored industry's comments and published a notice of a final rule that remains based on the [European Union's] model and likely will adversely affect the ability of publicly traded companies to compete globally.''

Other groups disagree. ''Rolling back this law will enable the corruption President Trump told us all he would end,'' said Corinna Gilfillan, head of the U.S. office of Global Witness, an advocacy group that targets environmental and human rights abuses. ''The oil industry has been striking backroom deals with dictators and tyrants for decades, wrecking developing economies and the environment in the process.''

She added that ''this law helps prevent it by making sure people can see how much money is changing hands for their resources, and who is really benefiting from those deals.''

The House resolution was introduced by Rep. Ken Buck (R–Col.). The House might take it up as early as Wednesday or later in the week.

Ms. MAXINE WATERS of California. Mr. Speaker, I am absolutely surprised at how brazen our friends on the opposite side of the aisle are. They come here on this floor today with this rule that they would like to overturn. They have not been in committee. We have not had any hearings. They have moved very, very quickly to do exactly what all of these articles are discussing. They are concentrating on how to roll back disclosure that the SEC had developed a rule for for the oil industry.

And why are they trying to do this?

It is so interesting that this is happening on the same day that Mr. Tillerson has just been voted on to be the Secretary of State for the United States Government, the former CEO of Exxon; and I am going to talk about that connection, which should cause a lot of people to be concerned.

This government is not about disclosure. First of all, the President of the United States refuses to disclose his income tax returns. I didn't expect them to support disclosure of the oil industry to avoid corruption.

As a matter of fact, they have the audacity to come here today and say that it is too expensive to be honest. It costs too much money to these huge billionaire oil companies to disclose, and somehow that is going to prevent them from creating jobs. That is nonsense.

I would like to just show some connections here.

Both during his campaign and since his election, Donald Trump has surrounded himself with people who have extensive ties to Vladimir Putin and the Russian Government, and then we are going to see the connection between Tillerson and the Russian Government. First of all, let's look at this circle of people around him and their connection to Russia.

Paul Manafort, Trump's former campaign manager, was a paid lobbyist for Viktor Yanukovych, the pro-Russian politician in Ukraine who fled to Russia in 2014 and was subjected to U.S. sanctions related to Russian aggression in Ukraine. Manafort has also been involved in multimillion-dollar business deals with Russian and Ukrainian oligarchs, which were reportedly the subject of an FBI inquiry.

The other person, Roger Stone, Trump's longtime friend, is reportedly under investigation for possible links with Russia. He has denied ever visiting Russia but admitted he had worked in Ukraine. Stone announced in a speech last summer that he had spoken to WikiLeaks founder Julian Assange, and Stone predicted that there would be additional leaked documents, a prediction that came true within weeks.

Let's go to another person. Michael Flynn, Trump's National Security Adviser, did a paid series of events in Moscow, including a speech and appearance at a party for RT, a Kremlin-funded TV station, where he was photographed sitting next to Vladimir Putin.

Trump's nominee for Secretary of Commerce, Wilbur Ross, was a business partner of Viktor Vekselberg, a Russian oligarch and Putin ally, in a major financial project involving the Bank of Cyprus.

Finally, former ExxonMobil CEO Rex Tillerson, Trump's nominee and now the person who has been voted by the Senate for Secretary of State, signed a multibillion-dollar agreement with Russia in 2011 on behalf of ExxonMobil for an oil drilling project in the Arctic. The project was brought to a halt in 2014 as a result of the sanctions that were imposed on Russia in response to Russia's aggression in Ukraine.

Putin personally awarded Tillerson the Order of Friendship in 2013. Don't forget, this President talked about lifting sanctions. Oh, you can see the connection here.

In addition to that, I just want to point out that it comes as little surprise that ExxonMobil is one of the leading companies in the fight against the global initiative to enhance the transparency of extractive industry payments made to foreign governments, given its long history of engaging in questionable transactions with governments of oil-rich countries such as Nigeria, Pakistan, Equatorial Guinea, Angola, and Chad.

The move to eviscerate the rule issued under section 1504 that we are talking about here today makes clear that Republicans in Congress and the Trump administration believe that profits are more important than people and that fighting corruption is less important than enriching oil, gas, and mining companies.

Without the SEC's extractive industry transparency rule, citizens around the world will lose a critical tool for holding their governments and corporations accountable for how natural resource proceeds are used.

Let's talk about Nigeria. Just days before the Securities and Exchange Commission issued its final rule pursuant to section 1504 of the Dodd-Frank Act, Global Witness, a highly respected and good governance NGO, issued a report detailing how a major oil deal, as I referred to earlier, struck by ExxonMobil with the Nigerian Government, was being investigated by Nigeria's Economic and Financial Crimes Commission, an agency charged with uncovering high-level corruption.

□ 1615

The investigation relates to a widely reported deal in which the Nigerian Government in 2009 agreed to renew a

40 percent share of three oil licenses from Mobil Producing Nigeria, a wholly-owned subsidiary of ExxonMobil. This is all about the billionaires. Just follow the dollars and you can see what this is all about.

Little town, America, needs to know that this is not about them. This is about these billionaires, and they will go to any extent to continue to steal from them.

Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore (Mr. STEWART). The gentleman from Texas has 3 minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I certainly hope that the American people are watching this debate because it will certainly confirm their decision to deny Democrats control of the House, to deny them control of the Senate, and to deny them control of the White House.

Now, Mr. Speaker, their words may claim they care about jobs, but their policies don't. That is what we are here to talk about, Mr. Speaker, is jobs, and we are talking about a rule promulgated by the Securities and Exchange Commission that can cost $591 million a year and can cost us 10,000 jobs.

My friends on the other side of the aisle have been clearly tone deaf to the pleas of the American people. They want to go back to work. They are tired of part-time jobs. They are tired of stagnant paychecks. They are tired of decimated savings. That is why they have turned to the Republican Party, and that is why we are going to help give them a healthy economy with policies, including rolling back this foolish rule from the Securities and Exchange Commission, a rule that in a previous iteration has already been struck down by courts.

Now, you listen to the other side of the aisle, Mr. Speaker, and you hear all this talk about corruption. It appears that some of my friends on the other side of the aisle are ignorant that the Foreign Corrupt Practices Act is already in the Federal code. For those who do not know, I have done the homework for you: 15 U.S.C. 78dd-1. Look it up yourself.

So, Mr. Speaker, this has nothing to do with corruption. Rarely has more of a red herring come across the House floor. Let me tell you what this is really about, Mr. Speaker. It is about a radical, leftist, and elitist agenda that promotes narrow special interests and has declared war on carbon-based industry and energy and the industry and jobs that are represented by it. That is what this is really about.

By the way, why is the Securities and Exchange Commission involved in this? Why isn't this—listening to them—part of the Homeland Security Department or maybe part of the Department of Defense? What will they have the SEC do next, deliver the mail? Will they become our air traffic controllers?

Meanwhile, there are Ponzi schemes taking place in America. Meanwhile, we have markets that are not efficient creating the jobs that the American people demand.

Let's vote for jobs. Let's vote to get America back to work. Let's vote down this leftist, elitist agenda declaring war on carbon-based jobs. Let's vote for H.J. Res. 41.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 71, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MAXINE WATERS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.J. Res. 41 will be followed by 5-minute votes on passage of H.J. Res. 38, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 187, not voting 10, as follows:

[Roll No. 72]

YEAS—235

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—187

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier

Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Cartwright
Clark (MA)
Kildee
Meeks
Mulvaney
Price, Tom (GA)
Rush
Taylor
Walker
Zinke

□ 1643

Mr. GALLEGO and Ms. ESHOO changed their vote from ''yea'' to ''nay.''

Messrs. GONZALEZ of Texas, VELA, JOYCE of Ohio, and SANFORD changed their vote from ''nay'' to ''yea.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 228, nays 194, not voting 10, as follows:

[Roll No. 73]

YEAS—228

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Posey
Ratcliffe
Reed
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—194

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Herrera Beutler
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Raskin
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Clark (MA)
Kildee
Meeks
Messer
Mulvaney
Price, Tom (GA)
Rush
Taylor
Walker
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1650

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

MOMENT OF SILENCE HONORING VICTIMS OF QUEBEC TERRORIST ATTACK

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, I thank my colleagues for joining me tonight to stand in solidarity with our neighbors in Canada, and honor the victims of the January 29 terrorist attack at the Quebec Islamic Cultural Center in Quebec City.

A house of worship is a place of refuge, peace, and reflection, but for the 6 people killed, the 19 wounded, and the entire community, that hallowed ground is now tainted—yet, shall always remain covered in love.

Let our presence here serve as a reminder that we will stand up against bigotry and hatred wherever it takes place.

I now ask my colleagues to bow their heads and join us for a moment of silence.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 611

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that Representative HIMES be removed as a cosponsor of H.R. 611.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMERICA DOES NOT NEED THE STREAM PROTECTION RULE

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Madam Speaker, North Dakota does not need the stream protection rule and neither does the Nation. By passing this resolution today disapproving the Office of Surface Mining edict, we are responding to the cries of the American people who are tired of nationwide job-killing regulations from Washington.

Madam Speaker, the Obama administration took nearly an entire term and over 10 million taxpayer dollars developing this job killer designed to prevent billions of dollars of coal reserves from ever being developed with absolutely no environmental benefit.

Today's action prevents further destruction of jobs and low-cost energy for the American people.

I urge the Senate to swiftly send this resolution to the President's desk.

□ 1700

ATTORNEY GENERAL NOMINEE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, first of all, I would like to acknowledge the fallen Navy SEAL officer in Yemen and offer my concern to his family. I will rise tomorrow to continue my questioning on that, but today I wanted to make sure that I prayerfully acknowledged the sacrifice he made for this Nation.

I rise today because we are one step further for the nominee for the Attorney General of the United States of America. And I join my colleagues in the Senate, the other body, who raised concern of not being able to inquire of Mr. SESSIONS what his position would be on what has been determined by five courts, at least, of the unconstitutionality of the executive order. It is a ban on Muslims, it is a violation of the First Amendment, equal protection of the law, and due process—First Amendment being freedom of religion.

Therefore, we now have an Attorney General making the first step, Mr. SESSIONS, where we do not know whether you will be able to embrace the laws that protect the most vulnerable women, children, the civil rights of many, and the voting rights of many, and, frankly, I believe those questions should be answered.

I conclude by saying, when you questioned Deputy Attorney General Yates, she was able to say that she would stand as an independent, objective person Attorney General having oversight over the White House. Will you be able to do the same?

TRAFFICKING AT THE SUPER BOWL—NOT IN OUR TOWN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, as the United States is gearing up for the Super Bowl in Houston, unfortunately, so are many human sex traffickers.

Just a few days ago, a 21-year-old trafficking victim with mental special needs was rescued in Houston. The young girl was kidnapped off the streets of Ohio by a dastardly trafficker. He put her in his car and told her: Now you work for me. She was brought to Houston specifically to be trafficked at the Houston Super Bowl. However, the woman's mental disabilities and seizures became too much for the moral-less trafficker, so he dropped the victim off downtown Houston where she later was sexually assaulted by a local criminal.

A Good Samaritan rescued the girl and brought her to the hospital. As exploiters and buyers roam the streets looking for prey in Houston, they should know that Mayor Turner, the Department of Homeland Security, and local law enforcement are prepared to jail traffickers and rescue victims.

No trafficking. Not in our town. We will protect victims and prosecute the slave trafficking deviants and buyers.

And that is just the way it is.

GET AMERICA MOVING BY INFRASTRUCTURE INVESTMENT

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Madam Speaker, the clock is ticking. Not that clock, but the new clock that I put up on the Democratic side of the Transportation and Infrastructure Committee, which is the cost of congestion clock.

The President has proposed $1 trillion investment in infrastructure. He went to the Republican Conference last week and said: Fix it first, and we want it in the first 100 days. I am with him on that, we should do that, and I have proposals to actually fund a way to get there. Not to $1 trillion, but a good part of the way.

So this clock indicates, from the day he was sworn in, noon a week ago Friday to today, the cost of congestion for American commerce, the movement of goods, and the American people. It is $438 million per day.

So the clock is ticking. Let's get America moving again, and let's invest in our infrastructure.

UNITED IN REINING IN REGULATIONS

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Madam Speaker, for the last 8 years, Americans have felt the burden of excessive and intense regulatory overreach having to comply with time-consuming rules and regulations. But that ends now. For the first time in 8 years, the legislative branch and the executive branch are on the same page. We must get the government out of the way.

Last week, I joined my colleagues on the One In, One Out Act, which requires Federal agencies to repeal or revise a rule before they can issue a new one, and any new rule must be of equal or lesser cost to Americans.

And in true Trump fashion this week, the President announced his own version, the one in, two out executive order.

These measures are commonsense at their core. To begin growing our economy and creating jobs, we have got to reduce the size and scope of the Federal Government and tackle the mountain of red tape surrounding our Nation's job creators. Americans are ready for growth and innovation, and, for the first time in a long time, the President is on our side.

SCALING BACK BURDENSOME REGULATIONS IMPLEMENTED BY THE OBAMA ADMINISTRATION

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, this week, House Republicans have undertaken the effort to scale back some of the burdensome regulations implemented by the previous administration.

The use of so-called midnight rules to slip in regulations at the last minute and without congressional approval was a favorite tool of the last President. Many of these regulations would negatively impact, and have, American people by destroying their jobs, hamstringing our economy, often for no good reason.

That is why, at the very start of the 115th Congress, we passed the Midnight Rules Relief Act, which utilizes the Congressional Review Act, to allow Congress to review multiple midnight rules en bloc.

Additionally, we now have the unique opportunity to utilize the CRA, Congressional Review Act, and express our disapproval for some of these harmful, burdensome regulations that hurt jobs and stunt the economy, in order to protect the American people from these harmful effects.

The regulatory state has been rapidly expanding in recent years for too long, and I am happy to see that Congress is taking action to reverse this destructive behavior.

U.S.-MEXICO RELATIONSHIP

The SPEAKER pro tempore (Ms. TENNEY). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. O'ROURKE) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. O'ROURKE. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise

and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'ROURKE. Madam Speaker, with the President's recent announcement that through an executive action he would commit resources and national attention and focus on building a wall with our neighbor to the south—Mexico—and given some of the rhetoric that we have heard over the last year in the Presidential campaigns about rapists and criminals coming from the country of Mexico, one might be confused, at best, or, at worst, believe that we have some kind of crisis on our border with Mexico, some kind of crisis in our relationship with our closest neighbor, a country that has done more to benefit the United States than any other country I can imagine, a country that is the number one trading partner of the State of Texas, the third largest trading partner of the United States, our partner on security, on economic development and growth, and on other important hemispheric issues.

It is important today that we take this opportunity to ensure that our colleagues in the House have the facts. And it is with those facts that we can make better decisions, informed judgments, and a policy that is truly going to benefit not just the U.S.-Mexico border, not just border States like Texas, New Mexico, Arizona, and California, but the entire United States. Here are some facts that I would like to start with, and then I want to ensure that some of my colleagues who can bring their wisdom and experience and perspective to this are able to do so.

The first fact that we should know is that we have record low levels of northbound migration from Mexico. In fact, more Mexican nationals today are going south into Mexico than are coming north into the United States. We have less than zero migration from Mexico. Total northbound apprehensions of any people from any country coming across our southern border are also at historic lows. And if there are any surges in people or populations coming across that border, it happens to be young children and families fleeing horrific, historic violence in the northern triangle of Central America. And those little kids, they are not trying to evade detection, they are not trying to climb fences, they are not trying to escape the Border Patrol. They are, in fact, turning themselves in, and presenting themselves to Border Patrol agents and to Customs and Border Protection officers at our ports of entry.

We should also note that we are expending record amounts of U.S. taxpayer resources to secure the border—$19 billion a year this year, last year, and the years going forward—only to increase with these executive orders. We have more than doubled the size of the Border Patrol in these last 15 years from just a little under 10,000 agents to over 20,000 agents on the U.S.-Mexico border and some on the U.S.-Canada border.

There has never been a terrorist, a terrorist organization, a terrorist plot, or a terrorist act connected to our border with Mexico. There has been with our northern border with Canada. There has been connected to our international airports. There have been homegrown radical terrorists. There has never been a case of terrorism connected with our border with Mexico.

But just in case, and we should remain vigilant, just in case, we have got those 20,000 Border Patrol agents, we have got thousands of Customs and Border Protection officers, we have 600 miles of fencing and physical obstructions already on our border with Mexico, we have aerostat blimps, we have drones flying overhead, we have a concentration of Federal law enforcement—DEA, FBI, among others—including one of the largest military installations anywhere in the world—Fort Bliss in El Paso, Texas, with 32,000 Active Duty servicemembers. We have the security resources already that we need.

I also think it is important to mention that El Paso, Texas, which is conjoined with Ciudad Juarez in Mexico and forms what I think is the largest true binational community in the world, certainly the largest on the U.S.-Mexico border, El Paso, Texas, is not just the safest city on the U.S.-Mexico border, it is not just the safest city in the State of Texas, it is the safest city in the United States. And it is not an outlier. If you look at other U.S. border cities, like San Diego, California, you will find that they are among the safest in the United States. In fact, there is a positive correlation with the number of migrants and immigrants, documented and otherwise, in a community and that community's relative safety. The U.S. side of the U.S.-Mexico border is far safer than the average American city deeper into the interior. These are some of the facts that we need to have at our command as we are developing policy, as we are judging the President's recent executive actions, and as we are thinking about how best to secure this country.

Here is another fact that we need to keep in mind. If we are committing resources where they are not needed, where, for example, we don't have terrorism, where we don't have a problem with immigration, where we don't have an issue with security, then by definition we are taking those resources from where they could be best used, where we have known risks and threats, where we have real problems against which we must contend, where we are not keeping Americans as safe as they could be because we are directing resources where they don't need to be, this is something that we need to know, I think, as we make policy for this country, as we fulfill our most important solemn obligation, which is the safety and security of this country and every American within it.

Madam Speaker, I am very fortunate today to be joined by some outstanding colleagues. One whom I would like to introduce from the great State of New York is a new colleague, he himself an immigrant to this country. He represents tens of thousands of immigrants in his Congressional District, has already, from day one, become a leader on this issue, introducing legislation that provides a more rational, humane, smarter approach to some of these issues that have been blown out of proportion, politicized, mythologized, and from that steering the country in the wrong direction. Here is somebody who wants to get us back on track.

Madam Speaker, I yield to the gentleman from New York (Mr. ESPAILLAT).

□ 1715

Mr. ESPAILLAT. I thank the gentleman from Texas.

Madam Speaker, back in 1987, then-President Ronald Reagan issued one of his most famous speeches—''tear down this wall''—as he addressed then-Soviet leader Mikhail Gorbachev to insist that he open the barrier dividing East and West Berlin. It was, perhaps, one of the most exciting times as we watched to see, finally, if the Cold War would end. It was a moment of hope and strength and character that propelled our country to a higher regard and standard of our identity throughout the global community.

Today, in stark contrast to that famous speech given by President Ronald Reagan, President Trump orders the construction of a $25 billion wall that divides communities, separates families, and perpetuates fear and hate. It sets a dangerous precedent and fails to elevate our country and confidence abroad the way it was back when President Reagan gave that famous speech. The economic ramifications will be devastating to the entire country, going as far north as New York City, because it is $25 billion or more that will be spent on building this wall that could otherwise go to other meritorious projects.

These executive actions also secure what I call insecure communities, not Secure Communities—a program that strains relationships between law enforcement and communities along the border and throughout that region of our country.

We live in a global society and are connected with countries and citizens from around the world. To build this wall not only separates the United States from our bordering country—our neighbor, Mexico, which is one of our biggest trading partners—but the wall itself sends a strong message to citizens around the world that they are not welcome here in America. The President's wall and his anti-immigrant agenda is a continuation of the

irrational and hateful rhetoric we have witnessed from him before, and it stands contrary to who we are as Americans and to what we believe as a nation.

I am proud to introduce one of my first bills in Congress, called This is Our Land, which is legislation that will prohibit this divisive wall from being erected on public lands. This is a time when we should be investing in our infrastructure—in roads, bridges, tunnels, airports, schools, housing—and also respecting our public lands. Building President Trump's wall would trample on our public lands and potentially put precious endangered species at risk and likely disrupt or destroy environmentally important ecosystems and habitats. It would also deplete precious resources from our cities. We should be building a wall around Trump to stop these irrational executive orders—instead of this ludicrous $25 billion wall between our closest ally.

Mr. O'ROURKE. I thank the gentleman from New York for his comments—again, bringing his experience to bear and, right from the beginning, introducing legislation, not just criticizing or complaining, but offering an alternative. It reminds us that, if we are to spend $20 billion on building something in this country—which is the upward cost of what President Trump's proposal would take from the American taxpayer—there are roads; there are bridges; there are tunnels. There are legitimate infrastructure needs on which we could spend that money that would put people to work, and it would be money much better spent.

Madam Speaker, I yield to the gentleman from California (Mr. PETERS), someone who represents a part of the border that really demonstrates what is beautiful about the United States-Mexico relationship in San Diego and Tijuana. He is a fierce advocate for our shared economic development and growth, for the jobs that are connected to that, and for everything that is beautiful about the U.S.-Mexico border.

Mr. PETERS. I thank Mr. O'ROURKE for putting together this Special Order to talk about what is really an important issue and, with all of the things going on, something that has even got a little bit lost.

Madam Speaker, for the region that I represent in San Diego, the border is an economic engine—it is a job creator. Home to the Otay Mesa, San Ysidro, and Tecate ports of entry, San Diego-Baja is the busiest border crossing in the world. From life sciences to electronics, San Diego is an attractive place to start a business and to manufacture goods, in part, because of our proximity to border crossings and international trade.

Last month, Mr. O'ROURKE and other members of the Congressional Border Caucus and I held a hearing with local leaders from chambers of commerce from around our districts to discuss real pragmatic solutions and issues around the border. I was joined by Jerry Sanders, who San Diegans well know as the former mayor. He is also the former police chief of San Diego and is now the current president of the San Diego Regional Chamber of Commerce. During that hearing, Mayor Sanders said that an efficient border is a safe border, and he knows something about safety from his time as a police chief. We also know that 99 percent of what gets screened at border crossings is safe and that there is no need to worry about its coming into the country. What we need is to get more efficient at approving the 99 percent of safe cargo and travelers and better at stopping the 1 percent that we don't want to come in.

One of the big challenges that we faced when I first came to Congress was in border delays. We saw that delays at the border crossing were costing us, at that point, $7.2 billion of economic activity in our county and 35,000 jobs annually—numbers so big that they are almost unbelievable, but those numbers came from independent assessments.

One of the great successes I have had in Congress, in working with my colleagues within our congressional delegation, is to have worked together to secure more than $500 million to finish the expansion and the improvements at the San Ysidro border crossing. We did that in working with Democrats JUAN VARGAS and SUSAN DAVIS and with Republicans DUNCAN HUNTER and DARRELL ISSA because we all understood how important the United States-Mexico border is to our regional economy.

By investing in infrastructure and innovation in San Diego, Tijuana, and across the border, we are keeping Americans safe and supporting the export of goods made in America by American workers. In San Diego and in other communities, we are embracing this forward-looking approach of opportunity and job creation.

Now President Trump wants to put us in reverse by building a wall, which we have assessed at $15 billion. I mean, I have heard estimates of its being from $18 billion to $20 billion. By any count, it is a waste of money. Let's say, for purposes of argument, it is $15 billion. It took Congress more than a year to approve $170 million to help Flint, Michigan, recover from a crisis that has poisoned children and left an entire city without clean water—$170 million compared to $15 billion for a wall that nobody needs. We are talking about spending 100 times the money for Flint to build a wall that will do nothing to make us more secure, to make our children safer, or to make us more prosperous.

$15 billion is exactly how much the American Society of Civil Engineers says we will need to fill the funding gap for infrastructure needs at all of our Nation's ports for the next decade. So, if you took the money you were going to spend on this wall, you could cover all of the investment we would need at our ports around the country for the next decade. We are going to spend it on a wall.

$15 billion is also three times as much money as the Federal Government spends to help the homeless every year. For the cost of this wall, we could build the Navy the 11th aircraft carrier that it needs. For 60 times less—or 1–60th—we could finish the modernization of the Otay Mesa border crossing, which is the third busiest commercial port of entry along our southern border and which facilitates $35 billion in trade every year.

What are we doing here?

Unlike President Trump's wall, this investment will support long-term job creation and increase revenues and is a much more responsible way to spend American taxpayer dollars. Let's be clear. American taxpayers are going to foot the bill for this wall, not Mexico. It is the leader of the Senate and Speaker RYAN who have committed they are going to spend $15 billion on this wall. That is American taxpayers. That is not Mexico.

Instead of trying to turn his campaign rhetoric into policy, we would prefer that President Trump listen to those who understand what business is like at the border, to those who understand that border cities are safe, like El Paso, like San Diego, and that the border is an opportunity for America, not a threat. We don't need a wall. We need to hire more Customs officers. We need newer screening technologies. We need to modernize and expand our infrastructure at other border crossings like we are already doing at San Ysidro. That is how you would create jobs in America. That is how you would keep us safe.

I thank my friend BETO O'ROURKE for his leadership and for his hosting this conversation today. I look forward to working with the gentleman in diverting this money from this silly proposal—this dangerous proposal—to the kinds of things and investments that our country needs from Texas to California.

Mr. O'ROURKE. I thank the gentleman from California for sharing his community's perspective and for reminding us that, when it comes to Mexico and our shared connection with Mexico—the U.S.-Mexico border—we have much more to look forward to than we do to fear.

In fact, in the State of California, there are hundreds of thousands of jobs that depend on U.S.-Mexico trade. In the State of Texas, it is just under a half a million. In fact, every single State in the Union, including Alaska, has tens—if not hundreds—of thousands of jobs that depend on the flow of U.S.-Mexico trade, which happens at our ports of entry and comes through at our border. There are 6 million jobs in this country, which represent hundreds of millions of dollars in salaries and economic growth and add-on effects, that are dependent on U.S.-Mexico trade. When we begin to prioritize

our separation, in sealing Mexico off from the United States literally physically, we deprioritize those connections that make us stronger, that grow our economy, and that create more jobs in the United States.

One thing that we should know, as long as we are talking about sharing facts and confronting some of these unfortunate, untrue myths about the border, is that, when we export to Mexico, of course, we win—we are building things in our factories; we are sending them to Mexico; the Mexican consumer buys them; those dollars are flowing back to the U.S. worker. It also happens that, when we import from Mexico, we win as 40 cents of every dollar of value that we import from Mexico originates in the United States. Literally, factory floor jobs in Ohio, in Iowa, in Michigan are producing things that go to Mexico and that are part of the final assembly that is reimported to the United States.

We certainly make things in America today, but we make a lot of things in the United States and in Mexico concurrently. Our economies, our production platform—our future—is inextricably connected, and to try to break that apart is not simply going to hurt Mexico. It is going to hurt the United States. It is going to hurt the U.S. worker. It is going to hurt our economy. It is going to hurt our opportunity at growth.

If we continue to cast Mexico as the enemy, if we threaten trade wars or to pull out of free trade agreements, if we construct a wall to try to humiliate that country at a time that it poses no security threat to the United States, the consequences are not going to be good. You may remember that I reminded you that migration from Mexico over the last 4 years is less than zero. More Mexicans are going south than are coming north to the United States. If you build a wall, withdraw from our trade agreements, try to delink our economies, where you do not have a security or an economic problem today, you will in the future have one. You will give people in Mexico a reason to flee that country and to seek opportunity and jobs and connections and safety and shelter somewhere else, and that somewhere else, in many cases, is, in fact, going to be the United States.

If we want to make this country safer, if we want to make this country more prosperous, if we want to protect the American worker, then the policies that this President has adopted in the first 10 days in office are precisely the wrong way to go about doing it. They will make us less secure; they will slow down this country's economy; they will jeopardize the 6 million jobs that depend on U.S.-Mexico trade.

If the U.S.-Mexico border is as secure as it has ever been—look at any metric, and you will see that I am right—if we are having record low levels of northbound migration and apprehensions, if we are spending record amounts, if we are using new technologies, like drones, to patrol the border, if we have 20,000 Border Patrol agents, which is also a record high, why is there so much concern, why is there so much interest, why is there so much anxiety, why is there so much fear built up around the border?

□ 1730

I will tell you, this is a long time in coming. And when we say that there are real issues with where these border measures are coming from, let me give you an example of some of those.

One of our colleagues, when describing young Mexican immigrants coming to this country, said: Look at them. They have calves the size of cantaloupes. They are bringing drugs into this country.

When you have a Presidential candidate dismiss Mexican immigrants as rapists and criminals, despite the fact that immigrants commit crimes in this country at a much lower level than native-born U.S. citizens, when you have this kind of rhetoric, when you have this kind of mischaracterization, when you have this kind of vilification of an entire people and their connection to us at the U.S.-Mexico border, then you be the judge of where these priorities are coming from and what they are about and why they in no way reflect the real concerns, threats, and issues that we have in this country today.

My colleagues, the fact of the matter is Mexico presents opportunity to the United States and it always has. Whether it is the $90 billion in U.S.-Mexico trade that passed through just the points of entry in El Paso, the city I have the honor of serving in Congress, and Ciudad Juarez, the city with which it is connected, whether it is the 6 million jobs that we already have in the United States economy, whether it is our security cooperation to ensure that we are disrupting transnational criminal organizations that are trying to move drugs and human chattel into this country, whether it is our work to address the real security issues in the northern triangle countries of Central America that border Mexico, we will lose a very valuable partner. We will lose those things that we want most: job growth, economic development, security for the people that we represent.

When we begin to humiliate that country and its leadership—and President Pena Nieto has canceled a trip to visit the United States in just 1 week of this administration—nothing good will follow that.

We cannot wall Mexico off from the United States. We cannot wish them to disappear. They will always be there, and they should always be there. And we should be grateful that they will always be there because they have always been a part of our history, our success, those things that are best about the United States; and, God willing, they will always be part of our future.

I think it is going to take each and every one of us—every Republican, every Democrat, every person who doesn't feel affiliation to a party—to stand together behind and with the facts, with the truth, with this country's best interests in mind. I am confident that if we do that, if we will simply look at what is happening today, what has happened historically with that country, where our interests lie, we will make better policy. We will not be constructing walls between the two countries.

We will, at some point—hopefully, sooner rather than later—tear down the 600 miles of fencing that already separates us. We will build more bridges that connect us, not just for trade, not just for economic growth, but for the reasons that the people I represent are so grateful for and proud of, the place that they call home, a city that, with Ciudad Juarez, forms the largest binational community in the world, where last year alone 32 million times people from El Paso and Juarez crossed into each other's cities.

Our families are on both sides of the border. Our business partners are on both sides of the border. Students at the University of Texas at El Paso, who live in Ciudad Juarez and are Mexican nationals, are granted instate tuition because we want to attract the very best and the very brightest. And we are going to find them all over the world—in the United States, certainly, but also in Mexico.

I want to read to you a comment that a constituent of mine posted on our Facebook page this evening when I let my constituents know I would be on the floor talking about the border, asking them to share the truth and the reality, their perspective versus the myth that we hear so often here in Congress, on national TV, and from those who don't live on or understand the border.

Lisa Esparza said:

> The border has been great because I grew up in Ciudad Juarez. I came to El Paso, paid for an education at a private school, learned English. I love the fact that I am binational, and I can think and speak in two languages.

Lisa and millions of fronteriza and fronterizo border residents exemplify the best of this country, literally, of what makes America great.

El Paso, for those of you who do not know, has, for more than a century, served as the Ellis Island of the Western Hemisphere. If you came up from Mexico or your family did—or El Salvador or Guatemala or Honduras or Costa Rica or Argentina—there is a good chance that you came through the ports of entry in El Paso, Texas; that your family may have, before they went on to a destination further in the United States, settled in Segundo Barrio or in Chihuahuita. This is a community where they learned our laws, our values, where they learned to speak English, where they went to school, where they not just participated and believed in the American Dream, but became net contributors to it. It is one of the reasons that El Paso,

Texas, is the safest city in the United States.

It is the safest city not in spite of the large number of immigrants who live in my community—and, by official counts, 24 percent of the people that I represent were born in another country. It is not in spite of those people who were born in another country that El Paso is so safe. It is, in large part, because of their presence.

Families made extraordinarily difficult decisions to leave their home country—their home city, their families, the language they knew, the customs that they loved—to come to a new country. They make sure that they follow our laws. They make sure that their kids follow our laws. They make sure that their kids are doing the right thing by this country so that they can get ahead, have an opportunity and a crack at the American Dream. Not only is there nothing wrong with that, there is something profoundly great about that. It is what has helped make El Paso the safest city, a wonderful city in America, a great country.

I yield to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM), someone else who understands the value of our relationship with Mexico, the special character of border people, and the value of immigration and immigrants.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Madam Speaker, the people who, in fact, know the border issues the best—whether it is companies or lawmakers, both Republicans and Democrats, border communities, trade groups, economists, and law enforcement officials—all agree that building a wall is unnecessary, impractical, ineffective, and it is a complete waste of time and taxpayer money.

This wall, in fact, damages New Mexico's economy, and that is without taking into account President Trump's idea to now impose a 20 percent tax on Mexican imports to pay for it. In the end, we know that it is American jobs, American consumers, and American companies that will be hurt.

Given that the United States already maintains approximately 650 miles of border fence, drones, cameras, motion detectors, thermal imaging sensors, ground sensors, and 21,370 Border Patrol agents, the wall is completely unnecessary for the stakeholders who are, in fact, most impacted. The only person it truly benefits is President Trump by furthering his isolationist, divisive, and anti-immigrant agenda.

I agree that this country should be building, and I agree with my colleague from El Paso, Mr. O'ROURKE, that there is a wonderful thing, an incredible thing about building bridges, building highways, building buildings, and refocusing our energy on making sure that everyone has a fair shot and that we are looking at those economic values and those economic indicators. That is not what we are doing here. We are diverting our attention for an unnecessary, huge, colossal mistake that hurts the progress that border communities and border States have made.

Mr. O'ROURKE. Madam Speaker, I thank the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for bringing her State's experience and perspective to bear on this issue and for being a champion for the best in our traditions and our values.

I would like to build on the gentlewoman's remarks and talk about one of the consequences of building walls. I have already made the case that the border is as secure as it has ever been. Those who study and understand security issues have come to the conclusion that extra miles of wall don't deter migrants.

The lower levels of migration that we have seen to this country have a lot more to do with the U.S. economy and its struggling performance in the immediate aftermath of the Great Recession and throughout that road to recovery and, relatively speaking, the performance in other countries, including Mexico, that has afforded Mexican nationals more opportunity to stay there.

The border is as secure as it has ever been. We have recently doubled the size of the Border Patrol. We are using the latest and greatest technology to remain as vigilant as possible, which we should.

It is also important to know the character and quality of the Border Patrol agents and Customs and Border Protection officers who man the line, who are at our ports, and who have one of the most difficult, dangerous jobs that anyone has in the Federal Government. The conditions in which they work, the situations which they must anticipate, the constant vigilance that they must maintain, and the kind of threats that they have to be aware of—which include drug smuggling, which is critically important to stop; which include human smuggling, which we must deter and stop; and which includes, even though there has never been a terrorist or terrorist act connected to the U.S.-Mexican border, includes the possibility that sometime that might happen—those men and women are literally on the front line protecting this community.

I would like to see some of the $14 billion to $20 billion proposed for the construction of a wall put behind our Border Patrol agents to improve their salaries, their working conditions, and the ability for them to do their job and to keep us safe.

I would like to hire more Customs and Border Protection officers, the men and women in blue at our ports of entry who facilitate legitimate trade and travel at our ports of entry. They are the ones who help to keep this economy humming while keeping us safer.

Madam Speaker, one of the consequences, though, of building walls, while it doesn't make us safer and while it uses a lot of resources that could be better put toward other more legitimate security challenges, it does do one thing that I want all of us to know about. It does ensure that migrants coming to this country will unnecessarily suffer, and many will die.

In the same time where we have gone from 1.6 million apprehensions a year—that was the year 2000, 1.6 million apprehensions on our southern border—to last year, when there were just a little over 400,000, so a quarter of the level that we had 15, 16 years ago, in that same time that we have had record low levels of migration, we have maintained record high levels of migrant deaths. So those few migrants who do try to cross in between our ports of entry and do encounter physical barriers are going to more remote sections of the border. They are dying of thirst. They are dying of exposure. These are otherwise preventable deaths.

So I ask you to think about it this way. Whether you are looking at the moral dimension of this—the otherwise preventable deaths, the effort to humiliate our closest partner in the country, of Mexico—whether you look at the economic dimension of this, if you want to protect those 6 million jobs that depend on a strong U.S.-Mexico connection, whether you look at the security dimension and taking our eye off the ball when it comes to real threats, proven threats that we have in this country at our international airports, at our northern border with Canada or increasingly homegrown radicals in the United States radicalized over the internet, if you want to remove resources from those real threats, then go ahead and build a wall if it makes you feel good. But it is going to make us less safe, it is going to make us less economically secure, and it is going to be to our lasting shame. It will haunt us, and it will haunt us for generations for anyone who supports this or does not stand up and speak against it.

I would like to leave you with two anecdotes that I think exemplify the beauty, the strength, and the safety of the border. The first is a story of an event that took place this weekend in El Paso and Ciudad Juarez, where we are joined by the Rio Grande River channel. Right now, all that water is stored up at the Elephant Butte Reservoir in New Mexico. Really, there is just a little trickle in the river channel not more than a couple of inches deep.

Thanks to the Border Network for Human Rights and thanks to the Border Patrol who allowed this, they were able to organize 300 families from Mexico and El Paso who were allowed to meet—one family at a time—in the middle of that river channel, both sides clearly identified so there would not be any security or immigration issues.

□ 1745

And those families got to spend a total of 3 minutes together, families who, in some cases, had not seen each other for decades. A young woman

posted on Facebook that she drove down from Oklahoma City to see her dad who she had not seen in 10 years.

You had folks meeting grandchildren they had never seen before, sons or daughters-in-law that they had never seen before, weeping, crying, laughing, hugging, holding, kissing for 3 minutes.

That, to me, is absolutely beautiful. That, to me, is family values. That, to me, shows you the extent to which people will try to be together, to be with each other, to do the things that perhaps you and I, as U.S. citizens, take for granted. And that happened in El Paso, Texas, thanks to the Border Network for Human Rights, thanks also to the men and women in the Border Patrol.

It didn't compromise our security. It didn't add any new immigrants to this country. It was just doing our best under the current conditions.

The other anecdote that I would like to share with you, and which I will close on, involves another outstanding organization in the community that I have the honor to serve, Annunciation House, led by Ruben Garcia, who—when we faced unprecedented numbers of young children and young families, young moms in their teens and twenties, coming up from Honduras and Guatemala and El Salvador, which have become the deadliest countries, not just in Central America, not just in the Western Hemisphere, but in the world, the deadliest countries in the world; kids being murdered and raped and sold into slavery.

Those kids fleeing that horrific brutality and violence, coming up the length of Mexico, sometimes riding on top of a train known as la bestia, or the beast, to come and present themselves at our border, not evade detection, not try and escape, not try to do anything against the law; literally, as the law proscribes, presenting themselves at our points of entry to a Border Patrol agent, or a Customs and Border Protection officer, and asking for help and for shelter, depending on the best traditions inscribed on the Statue of Liberty, counting on the United States in their moment of need.

Well, the Border Patrol were outstanding. The agents themselves, out of their own pockets often, were buying toys and gifts for these young children, taking care of them, having their hearts broken, doing their best to serve them. Agents who work for ICE and immigration were doing their best as well.

As that flow of people, the number of people became too many temporarily for us to hold and to process, they got in touch with Ruben Garcia at Annunciation House, which is a charity operated in El Paso, Texas. And Ruben took those asylum seekers, those refugees, and housed them, clothed them, fed them, insured they had showers and medication and a visit with a doctor, the ability to talk to their families deeper in the interior of the United States and, most importantly, especially for my colleagues on the other side of the aisle, had a full and complete understanding of their legal obligations under U.S. law, what they were allowed and not allowed to do, what their court expectations were, and that they must appear in court, and that their issue must be adjudicated, and that they may or may not be able to stay in this country.

Annunciation House, Ruben Garcia, the volunteers who work for him, and hundreds of other El Pasoans who contributed did this at not a penny's cost to the Federal taxpayer or to our government.

So $20 billion to build a wall or Annunciation House taking care of refugees, asylum seekers, little kids who need our help for free?

That is the border. That is the best of us. That is the best of this country. That is what we need to think about. Those are the folks we need to listen to. Those are the facts we need to understand before we even contemplate building a wall, separating ourselves from Mexico, giving in to the nativist sentiment and instinct that was so proudly on display during this Presidential election.

I think if we look at the facts, if we take the best from the border, we are going to get the best policy and the best outcome from the United States.

And after all, isn't that why we were all sent here? Isn't that what we are supposed to do when our voters sent us here to do the work of the American people?

Madam Speaker, I yield back the balance of my time.

CONDITIONS AT THE SOUTHERN BORDER OF THE UNITED STATES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Madam Speaker, it is my honor to address you here on the floor of the United States House of Representatives. And I came here to the floor with a bit different topic in mind, but as I listened to the gentleman from Texas, I thought it would be a good idea, while there still was a captive audience on the topic, to refresh some things with perhaps a bit different perspective.

And that would be that, from my time and experience, I have traveled most every mile of the southern border, that would be 2,000, all together. I think it would be true that I have traveled every mile of California and Arizona and New Mexico, and most all the miles in Texas. I have flown a lot of it. I have driven a lot of it. I have been out on the water on some of it. And I have spent some nights down on the border, a number of them in some of the dangerous crossings, like San Miguel's crossing on the Tohono O'odham Reservation. It is one of those without any night vision and without what we would call official security.

So when I hear that the border is as secure as it has ever been and that there is no security threat to the U.S., which is what we have just heard here in this previous hour, Madam Speaker, I absolutely don't agree with that.

And if there is no terrorism that is any factor at all, that there has never been a terrorist attack on the southern border, I would point the gentleman to the five heads that were lined up on the Mexican side of the fence across from the people that were driving to church in New Mexico a few years ago. I think those children that looked out the windows of their cars as they were getting a ride to church were victims of the terror that was created by heads stacked along the side of the highway within feet of our U.S. border.

As I spend time with the Border Patrol agents that have made a career out of protecting our border down there, they tell me that there are murders on the Mexican side of the border, where they just throw the body over the fence on to the U.S. side; and other cases where they identify bodies on the Mexican side of the border, and they will call the Mexican security people, whom they have good relations with, as a rule, and they will see the equivalent of an S–10 pickup pull up and just throw the body in the back of the pickup and drive away, with zero forensics and very little attempt to identify who the perpetrators might be that have committed these murders there so close to the border.

I have made surprise visits down to the border on a number of occasions, and I make it a point to drop in and see what is going on and talk to the people that are there protecting and guarding our border.

I recall one of those visits down to Sasabe, Arizona, at a relatively rural crossing there. I pulled into that port of entry and port of exit for us, and I got out and I decided on the spot that, well, I should let them know who I am for reasons of courtesy, and so I introduced myself.

Madam Speaker, I said: I'm Congressman STEVE KING from Iowa.

That agent immediately said: I can't talk to you. And he turned and walked away.

And so I went to the next agent and I introduced myself: I'm STEVE KING from Iowa.

And he said: I can't talk to you, but talk to Mike. Mike is the supervisor here tonight, and he's ready to retire, and he has terminal cancer. He will talk to you.

And I went and spoke to Mike. The gentleman's name is Mike Crane. It was Mike Crane. He did have terminal cancer. That is verified. And he has since passed away.

But as we were speaking about the difficulties in securing the border and the illegal crossings, both one east and one west of the crossing at Sasabe, he got a phone call, and he said, Excuse me, and stepped away, and he was gone for a couple of minutes outside the circle.

He came back in and he said: There's been a knifing on the Mexican side of the border, and so there will be an ambulance coming through this border and this crossing in a few minutes. And I've called in U.S. ambulances with oxygen on them, and I've called in a helicopter to fly this victim out and to the Tucson University Hospital.

So we waited there for a few minutes. The Mexican ambulance came across the crossing. I did have an EMT with me and I asked him to do what he could to lend a hand to help save this victim's life, so he was in the middle of that process.

In the Mexican ambulance there was only one glove—just one glove—and a roll of gauze and nothing else, no oxygen, no medical equipment. It was an ambulance as far as the shell of it was concerned, and the painting on the outside said ''ambulance,'' but inside, it was just the same thing as an old home bread truck.

So they took him out of that Mexican ambulance. The U.S. ambulances had arrived fairly close to that period of time and they put him on oxygen and stabilized him, and then we loaded him off on to a helicopter and flew him up to Tucson University Hospital.

I went to Tucson that night, and the next morning I went to Tucson University Hospital and, essentially, talked my way in to visit this victim that had been stabbed in the liver with a knife or a shiv that was—I just recall it was 3½ inches wide at the hilt. That was the width of the wound in him.

I went to the room that he was in and they said: Okay, here he is behind this curtain.

It was a two-patient room. When I walked behind the curtain, the individual there who had been knifed the night before was not the one that I had seen and been part of taking care of at Sasabe. It was a different victim that had been wounded under the same circumstances, probably a different location in a different fight and brought into Tucson University Hospital to be stabilized.

As I was, I will say, looking at the situation, the patient whom I knew had been wounded the night before was rolled down the hallway in a wheelchair. He had been stabilized. He looked a lot better. We didn't know if he was going to live.

So then I assessed the situation and, Madam Speaker, I then met with the chief financial officer of the Tucson University Hospital and other leaders there in the hospital and collected a whole series of narratives about the cost of the medical care that has been assumed by the United States, even from people who have injuries in a foreign country.

This cost on this particular incident was $30,000 to bring the wounded Mexican into the United States—parole him into the United States is the legal term that we use—and then to send him back to Mexico once he was stabilized. And they had to post an agent with him to guard him during that period of time.

Now, I am not here on the floor tonight taking a position on whether that is right or wrong. From a moral standpoint, it is right. But we should be aware of what is going on. This is not a stable border. It is not a safe border.

I have sat on the border at the other crossing in Tohono O'odham Reservation, San Miguel crossing, and there, throughout the night, I heard vehicles coming through the mesquite brush, and you can listen and hear the doors open. You hear the individuals get out and drop their packs on the ground. They will close the door and you can hear them talking and whispering to each other; pick their packs up and walk off through the brush.

I sat there and tried to count the shadows, and I won't give you those numbers because none of us are sure what we see when it is pitch black out, but I know what I heard. And we counted a good number of people that were delivered down there to that crossing who came through the fence, which it would be rare for that to hold an old cow as they walk a four-barbed wire fence with the barbs pushed down where they have been continually crossing in the path through there, you can easily see.

When the gentleman from El Paso tells us that we are down to the low crossing level of kind of a modern history lowest crossing level of roughly 400,000 people last year, compared to not quite 1.6 million in the year 2000, I would point out that we count those who we can count, those who we see and those who we willingly see.

If we are not looking for them, if we are not guarding the portion of the border that they are pouring through, and we say we have counted 400,000 attempts coming into the United States, that doesn't mean that there are only 400,000 attempts; that only means we counted 400,000.

The same goes with the interdiction of roughly 1.6 million. They were more aggressive then. And I will say that Bill Clinton was successful in interdicting more border crossing attempts than any other President. I don't know that that was his goal or his objective, but I believe that was the statistical results.

To that extent, Madam Speaker, I don't disagree with the gentleman from Texas. And I agree that the border crossings have slowed down. Ten years ago they were greater than they are today, but it is not logical, in fact, it is not rational to assert that the border is as secure as it has ever been. Neither is it logical or rational to say that it is no security threat.

In the times that I have been on the border, I have encountered the incidents of seven different persons of interest from nations of interest. That is our vernacular that we use when we see people that are coming from—I will call them—terrorist-spawning states. If an Iranian or an Iraqi or a Yemeni shows up at the southern border and they are interdicted by our Border Patrol, they are then placed into the hands of the FBI. At the moment that that happens, it becomes a classified incident.

I doubt if the gentleman from El Paso encounters this. I am down there for the purpose of hearing some of those things, one of the purposes. And I have seven of them that I have logged in my time that I have been down there. And if there have been seven incidents of persons of interest from nations of interest, and I am only going to learn about that in that window between the time they are interdicted and the time that they are taken into the custody of the FBI.

□ 1800

So how many hundreds are there and perhaps more that are terrorists that are crossing into the United States? We know the easiest way to get into the United States illegally is to cross our southern border. So these assertions that we don't have a border security problem and that it is not a security threat are false. Their idea is that we should just simply leave the border open.

I heard hire more agents not to secure the border, but to facilitate crossing through legal crossings. I think there are some things we can and should be doing with facilitating legal crossings to and from the United States of America.

I don't disagree with the full breadth of that statement, Mr. Speaker, but the facts are 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico—80 to 90 percent. It is more than a $60 billion annual business pouring into the United States. Out of that $60 billion worth of drugs, a lot of that is laundered in the United States and brought back into Mexico and points south down toward—and for cocaine, for example, from Colombia. We saw a big bust of Colombian cocaine that was smuggled into the nose of an airplane that was found by the maintenance crew when they diverted the plane for maintenance. But 80 to 90 percent of the illegal drugs come from or through Mexico.

It is an American problem. It is a demand we have on the streets of America for more than $60 billion of illegal drugs that kill thousands of our citizens. We have seen the addiction. We have seen the heroin addictions that have emerged in the United States and become part of the news in the last few years, but the people who die from overdoses of drugs has accelerated to more than die because of car accidents in the United States.

Now, that is alarming when you consider most all of us travel in cars in this country. Not a very big percentage of us are addicted to drugs, but it is a very high percentage of those who are drug addicted that are dying because of the drugs they are getting and the

overdoses and the bad drugs that they are getting, and we need to shut that down and shut that off.

It isn't a final solution, I would agree, because, Mr. Speaker, there are two sides to this equation. One of them is that we need to address the supply of drugs, the transport of illegal drugs into the United States and the delivery of them in the United States to their retail destination. But the other side is we need to shut down the demand on those illegal drugs. That is a topic that this Congress has not taken up in the time that I have been here. I have stood here on this floor a number of times and discussed the need for us to shut down the demand for illegal drugs.

Mr. Speaker, I will set that component aside for a moment and acknowledge that part of this problem is the United States' demand for illegal drugs. The deaths in the United States aren't solely the responsibility of the drug dealers. It also is the responsibility of our society to restigmatize illegal drug use and abuse and to clean up our society using a number of tools that we haven't yet developed: the will in our society to address the drug consumption problem in America.

Nonetheless, we have developed the will, I believe, especially with the election of Donald Trump, to address the illegal drug supply coming into America and to shut off the smuggling of drugs into the United States.

So when I hear from the gentleman from El Paso that he wants open borders and he thinks walls and fences insult people and they damage the relationships between us and Mexico, what about 100,000 dead Mexicans that die in the drug wars? Doesn't that damage our relationship between the United States and Mexico far more than the size of a wall that would probably save tens of thousands of Mexican lives by drawing a line, creating a barrier, and keeping the illegal drugs on the south side of that border away from the $60 billion-plus demand in the United States? I think that damages our relationship a lot more if we continue to allow that to happen.

The flow of illegal drugs flows this way into the United States. This is from the Drug Enforcement Agency. I said to them that I want to know about the drug distribution in America, who controls it. I know the answer, but I asked the question so I have got their response.

It is the Mexican drug cartels that control almost all of the illegal drug distribution in the United States of America. They are the cartels that operate in every major city, that control the illegal drug supply in nearly every major city; and if there is a significant exception, it is the southern tip of Florida—Miami—where more of those drugs come out of South America, across, through Haiti, and are smuggled into the United States. A lot by boat come through the Caribbean and into Miami and points along Key West. That is more a Haitian connection, South American connection, and to some degree a Cuban connection. But the balance of illegal drugs distributed in America are done so by the Mexican drug cartels.

I asked the Drug Enforcement Agency, I said to them: What would be the result of the illegal drug distribution chains in America if, magically, everyone who is illegally in America woke up in their home country tomorrow morning, what would that do to the illegal drug distribution system in the country? Their answer is: It would sever at least one link in every distribution chain of illegal drugs in America, at least one, and in many cases every link of that chain of distribution of illegal drugs.

In other words, for a brief time, if that magical miracle thing happened that everybody woke up in their home country, say, tomorrow morning, there would be an instantaneous suspension of the transfer of illegal drugs through that chain into America and into the hands of the users, where tens of thousands are dying because of the drug abuse that they are committing. That is how bad this drug stream is in America.

I cannot be convinced that it is not a national security problem. I can't be convinced that it is not a social problem, a law enforcement problem, a criminal problem, and an economic problem. We are allowing these crimes against the humanity of the United States and turning a deaf ear—a deaf ear—because we don't want to speak about how bad this is because somebody over on that side will start calling names again. Well, I don't think I ever got up in the morning without a bunch of them calling me names before I ever got up—no matter how early—and I am immune to that, but I think we need to speak the truth.

With regard to the offensiveness of fences and walls, and having traveled almost all of this border and examined it for the prospects of the need to build a fence, a wall, and a fence on our southern border, I would recount, Mr. Speaker, to you what I saw from the helicopter over El Paso.

The gentleman spoke and said that El Paso is the safest city in America. I have to check the data on that, but I do recall that El Paso is unusually safe in comparison to the other border cities between Texas and Mexico or even between New Mexico, Arizona, California and Mexico. Why would El Paso be an unusually safe city if it sits on the border in the fashion that it does? And it does.

The gentleman from El Paso recounted that it is because they get along with each other and because they have 25 percent immigrants in his constituent population, and somehow they have reached this balance of comity that they get along and so they don't commit crimes against each other. I didn't hear him address the drug problem at all. He may have and I missed it.

But I will submit that is not the reason why the crime rate is low in El Paso. Anybody who would like to fly over the border and take a look at that in El Paso can see why the crime rate is low. I recall President Obama going down there and standing within about a mile of the border a few years ago and making remarks. He said that some people want to build a wall on the border, some want to build a fence, some want to build a moat, and some way want to put alligators in it. That was President Obama's statement. He was standing there, by the way, facing north with his back to the border. Not very far away is a fence, a canal, another fence, a security road, the Rio Grande river, another fence, another security road, and another fence.

So if you have to get through all those fences and two bodies of water that were flowing—when I looked at it—at a pretty brisk pace, and I know it slows down during the low season, that would be the reason they don't have a lot of illegal activity in El Paso because they have probably the best security structures that we have between us and Mexico. It is a testimony to why we need to build a fence, a wall, and a fence. It is not a testimony as to why we don't, but a testimony as to why we do.

If anybody wanted to look, and look at this objectively, perhaps the gentleman from El Paso would show us the crime data on what the crimes were in El Paso before they built the fence, the canal, the road, the fence, the river, the road, and the fence. It is pretty hard to get through that. You have got to be able to climb, swim, and maybe burrow underneath one or two, and then you have got the traffic, the security traffic that travels inside of that. The Border Patrol has that traveled with their white with green striped vehicles there.

This is a secure barrier between El Paso and Mexico, and it has kept El Paso safer than other border cities. I believe you will find, if you look at the years before the security was built, that the crime rate was higher than it is today in El Paso.

So if we want to really do this from an analytical perspective, perhaps we could extrapolate some of those numbers and project that kind of security to, oh, Laredo, for example, McAllen, Brownsville, and maybe San Diego, which already has better crime rates now after they built their barriers across Smuggler's Gulch. Everybody who has a fence admits they are safer than before they had one.

There is another tragedy, Mr. Speaker, that I recall the gentleman speaking to. He said that we should tear down the 600 miles of barrier that we have. Well, it is the opposite. We need to build them up. But, in any case, he said that those who study walls say they don't deter illegal traffic coming across them. Indeed.

I wonder if the gentleman studied what was going on in Israel, the fencing that they built in Israel, and if he

happened to even notice the tweet that came out from Prime Minister Netanyahu just a couple days ago. He said that they built a barrier to protect them in Israel, and it is nearly 100 percent effective. Their lives depend upon it. So they built an effective barrier, Mr. Speaker. Anyone who is watching history knows this.

I hear the other side refer to a wall that we will build on the Mexican border as they compare it to the Berlin Wall. I wonder if they know enough about history to relate any other walls that have been built in history.

Not quite a year ago, we had Victor Davis Hanson, one of my top two favorite authors in the country and one of the deepest, most thoughtful, well-read, and prolific writers of history that goes far back to the Greek Peloponnesian era and beyond. He has a terrific understanding of the history of the globe and how it unfolded, especially to Western civilization and came to us. I said: Mr. Hanson, I would like to know, I can think of the Berlin Wall as a wall that was built to keep people in. It was built by Communists to keep people in. Can you think of another wall in history that was built to keep people in?

I look across the history that I know, the rest of the walls were built to keep people out. Victor Davis Hanson thought for a little while. He said: Well, one could note the wall, the fence, the barrier between North and South Korea is at least in part built to keep people in North Korea.

I don't disagree with that. It is just another case where Communists had to lock their people up to keep them from freedom.

So I would challenge anyone who is listening, Mr. Speaker, dig through your history books, Google this to the end of the Earth if you like. I would like to know if there is another example of a fence or a wall that has been built by a nation-state on its borders that is built for the purpose of keeping people in—other than Berlin and the barrier between North and South Korea.

In both cases, it was keeping Communists locked in a Communist nation and keeping them from accessing the God-given liberty and freedom that we enjoy here in this country. The rest of the walls throughout history, including the Great Wall of China, were built to keep people out.

The examples of that, in the Great Wall of China, would be that the segments of the Great Wall of China were built by different emperors. In fact, they were not a unified China during those years. I am going back several hundred years before Christ. Different emperors built different segments of the wall. They built them because they concluded the Mongols were coming down from the north and were raiding the Chinese. The Chinese decided they didn't want to be the subject of those raids any longer.

When you are not defended like that, you have a couple of choices. One, of course, is to submit and be killed, and that is not an option for the survivors at least. Another is you can run raids up into the Mongolian area and provide them a punishing deterrent to ever coming back into China again. A third alternative was to build the Great Wall of China.

They built it in segments. It had gaps in between it. By about 245 B.C., the first emperor of China, the unifier of China, Qin Shi Huang, decided to connect all of these segments of the Great Wall of China, so we have got one continuous wall. You could pull a chariot on top of it, it was so big and so well built. That wall—we believed up until the last few years—was 5,500 miles long, at least 2½ times as long as we need to build on the Mexican border.

He connected that together. I am sure he had cheap labor. I don't have any doubt about that. They may have worked for free and board and room, but they connected the great walls of China. Their emperor, Qin Shi Huang, established the continuity of that wall that now, by satellite, Chinese scientists have identified it as it really was—13,000 miles long.

□ 1815

That is 13,000 miles. We need to build a dinky, little 2,000-mile wall here—a fence, a wall, and a fence—and people say it is too expensive. It doesn't cash flow. We can't possibly do that. It is too hard. There are mountains on the border. There are complications. There are little toads that need to jump across the border. There are long-nosed bats that get confused if they have to fly over the top of it. There are these little species out here that we should worry about. And we have got an Indian reservation that spans both sides of that border. That is Tohono O'Odham.

All of these complications right away would be too expensive. The woe-is-me people come out. They have been manufacturing all these reasons why it doesn't make sense to build a fence, a wall, and a fence on the southern border, creating every kind of difficulty that you can imagine.

I will just tell you, Mr. Speaker, in my lifetime, I started a construction company in 1975. We are in the business of earthmoving and structural concrete work. We do underground utilities of all kinds. We know pretty well what it takes to do a job.

We bid jobs nearly every week, and we are out there with, let's say, two underground utility crews, a farm drainage crew, and an earthmoving crew, mix and match, according to the needs of the job we are doing.

Throughout the last more than 10 years, I have drawn up a design that I think is the most effective way to build a wall on the southern border, one that is cheap and effective and that will stand and last a long time with very low and very little maintenance. I will just briefly describe that for the RECORD, Mr. Speaker.

We have an ability to slip formed concrete. A lot of the curbs and gutters that you see around on our streets aren't forms that are set up and poured any longer with a concrete worker with a board pulling that up on the edge of that 2-by-12 on the back. Instead, it is slip form, where you simply drive the machine along, it scrapes the concrete off, and you pour it with a low enough slump that it will stand in the mold that you leave it in.

I propose that we go in and trench that 5 or 6 feet deep, and as we do so with the trencher, we pull the slip form along with that. Pour the trench full of concrete, 5 to 6 feet deep, so it is hard to dig under it, and it also becomes a wall that stabilizes the vertical sections that will go up above the Earth, and leave a slot in there so we can drop in precast panels.

When that is done, you have got a footing that is 3 to 4 feet wide. It has got a notch in it that drops down a foot or 18 inches that has a 6- or 7-inch gap to receive the precast concrete panels.

The precast concrete panels are poured pretty much on site, where they don't have to be moved very much. As you do that, you move along and pour the concrete panels. When they are cured, you just take a crane or an excavator and pick them up one at a time to drop them into the slot. Drop the next one into a slot.

They are tongue and groove. You lay that all out along the border. And yes, you have to tie it in so that it doesn't tip on you vertically. You have to engineer it. The strongest force on that wall isn't going to be people trying to get through or over it, it is the wind force on the full face of the wall that you have to design for.

We can do all of that, and it is simple. Then, with that kind of a pace, even the crews that we have today in our little, old construction company—and I will say for the record, Mr. Speaker, I am not proposing that King Construction build this, but I am asserting that it is not expensive, it is not complicated, and many companies in America have the full capability of building a good wall on the border that will stand for a long time. But, in any case, we slip form that footing foundation with the open slot in it, and then we drop the precast panels in. They can be whatever height the President of the United States would like. If he wants a 12-foot wall, we can build that, and I can price that out and put an estimate in place.

As I mentioned to the Secretary the other day, we are not proposing that we build it for the price I put into his hands, but if you call my bluff, we will. His answer was: Well, will you build 10 miles? I said: No, we want a thousand miles.

That is how good I think my estimate is. Our word would be good. But we will find cheaper bids out there if we put this together right. So we can put this together for substantially less

than I am hearing from this gentleman. I don't know where he is getting his numbers. Mine are real. We cranked them out in the sophisticated software bidding package that King Construction uses for multiple jobs that are going on. Every week, we are bidding some kind of jobs.

When I stood on the floor here 10 years ago and said that we will build a wall with a 5-foot foundation in it, a slot in it, and precast panels, a functional 12-foot height, 6-inch wide concrete with wire on top, and we can do that for $1.3 million a mile. That is for the foundation, the wall only. That is not for right-of-way acquisition, that is not for maintenance roads, that is not for all the bells and whistles that we need, or for the fence on either side that I believe we need, but that is what the wall would cost—roughly in the area of $1.3 million a mile.

If that doesn't sound plausible, Mr. Speaker, I will put this in a perspective for everybody that is listening here. We are just finishing up, and will here, I guess, a year from this fall, almost 300 miles of highway across the middle of Iowa through expensive cornfields. It is interstate-equivalent. It is four lanes. It is all built with the medians and the ditches.

When you look at an interstate highway, first, you have to by the right-of-way. Then you have to do the environmental and archeological tests. Then you do the engineering. Then you have the contracts. Then you have to do the clearing and grubbing. You strip the topsoil, stockpile it, move the Earth, and then when that is done, you go in and put in any subgrade that you have got.

Then you pave, then you shoulder it. Then you seed it. While all this is going on, then you paint the stripes on it, put the signs up, and you put a fence on either side of that. Then you cut the ribbon, and it is open to traffic. You are hearing people talk about a $20 or $30 billion project to build a 2,000-mile wall on the southern border.

I will submit, Mr. Speaker, this: we built that highway through the center of Iowa for roughly 300 miles for an average cost of something slightly less than $4 million a mile. That is buying the right-of-way going through Iowa cornfields, not the desert, and that is all of the engineering, the earthmoving, the paving for our highway strength structure.

Can anybody think that, at $4 million a mile to build an interstate, you can't build a fence for about $1.3? I will tell you that, in the $2 million a mile category, we will have a fence, a wall, and a fence on 80 percent of that southern border.

And there will be maybe 20 percent of that, and probably not more than 20 percent of that, that is tougher than that, and that is rock and it is mountain. Some of it is semivertical. What I have long said is: Let's build that fence, the wall, and the fence until they stop going around the end.

You don't have to commit to a thousand-mile barrier right away and build it out into the Gulf at the Rio Grande and the Gulf of Mexico where the Rio Grande dumps in or run it into the Pacific Ocean in San Diego, although those are probably good places to have it. You build it until they stop going around the end.

If you build it into the mountain and the stone and they decide it is too hard to travel all that way and climb those mountains, you don't need to build it any further. But when they start going around the end, then you build it.

We can build right over the top of the mountains, if we need to. We can put that foundation in there and drop the panels in right up nearly vertical face, if we need to. It is a lot more design and is expensive. Or, we can build the wall around the base of the mountain, where it makes more sense to do that.

In some places, we probably won't need to build one for a long time, if ever, but let's build it where it's cheap and fast and where there is a lot of traffic. Let's shut it all off, Mr. Speaker, and let's do so for a cheap and economic price of a good concrete wall that will last for a century or more standing there with very little maintenance.

And yes, I think we should have vibration sensors, and I think we ought to have infrared where we need it. I think we ought to have cameras where it makes sense. We need people to patrol that. That all goes with the package.

I will say, as I said to President Trump more than a month ago, we build the wall until they stop going around the end. This is the centerpiece of our border security. And then all of the other things we do with sensors and lights and sensing wire on top of the wall, all of that are accessories to the centerpiece, which is the concrete wall.

Donald Trump never said a fence. I am going to build you a fence. He said wall. Some of his people, usually it is the ones that come from more to the left of the Republican center than those who come from the right of the Republican center, will say: Well, he really meant virtual. He didn't really mean that we are going to build a wall. It might be a fence, or there might be places where we don't really need to do anything. You will hear all of that. They are saying that because they never believed in border security.

If you remember, Mr. Speaker, there was a document that was put out shortly after the election in 2012, in November of 2012, called the autopsy report. That autopsy report gave an assignment to Republicans that said you have to do outreach to certain groups of people, and you have to play identity politics. Don't be caught pandering, but play identity politics, and we shouldn't be securing the border because that offends people that want to cross it legally.

That was the message that was driven out of there. It wasn't based on polling and data and statistics—at least not the data that I watched. Instead, it was a product of the party itself.

I bring this up not to turn any heat up on anyone but to illustrate that the very election of Donald Trump as President of the United States refutes that autopsy report received in 2012. It says that all people want to live in a lawful society, except for the people who are breaking the law.

We want to live in a lawful society. We want a peaceful society. We don't want violence. We don't want drugs. We don't want heads lined up on the border. We don't want to have the kind of slaughter over drug wars in the United States that has been taking place in Mexico far too many years.

When they report 100,000 people killed over the last decade or so in the drug wars in Mexico, and, by the way, the $60-plus billion of drugs a year that come into America, there is also that same amount of money that is wired back to Mexico. That is either laundered drug money or the fruit of the wages of people who are working in America sending their wages out of the United States.

That is not necessarily an economic boon for us when you see $60 billion worth of drugs ruining the lives of American drug addicts and $60 billion worth of wages or drug money going back to funnel into and fuel the economy of Mexico. That is stupid for the United States of America to accept that kind of transfer of a massive transfer of wealth and that destruction of our own people.

As bad as it is, 100,000 Mexicans killed in the drugs wars over the last decade or perhaps a little less than that, many more Americans have died because of drug overdoses in that period of time. And do we shed a tear for them? We should. And there are others we should shed a tear for, Mr. Speaker.

There are others like Kate Steinle, a beautiful brown-haired, blue-eyed, 32-year-old lady out with her father along the wharf in San Francisco. If I can remember his name—Juan Francisco Lopez-Sanchez is his name—was deported at least five times from the United States for committing felonies.

And what did he do? He came back into the United States, and he went to a sanctuary city, San Francisco, that had put out the beacon in the advisement that said: Come to our city. We will protect you. We will not let Federal immigration officials disturb your life here. We have hearts for people who are criminals, who are felons violating American laws with impunity being deported and coming back into America.

So he is living in a sanctuary city in San Francisco. He shot Kate Steinle in the back, and she fell and died in her father's arms, this beautiful young lady. When I saw that story, when it came up on my Twitter account that day, I looked at that and re-tweeted the story with a quote that said: This will make you cry, too.

Just sitting alone, reading my email, when I saw that story, it made me cry, Mr. Speaker, because I know that Kate Steinle is not 1 of the 124 who her father, Jim Steinle, spoke of when he so courageously testified before the House Judiciary Committee. I give him great credit for having the courage to do so, and to commemorate his daughter's life. She is not 1 of 124, which were essentially undocumented who were documented to be released who committed homicide after they had been released by our previous administration.

That number is not 124. Mr. Speaker, that number is in the thousands. It is in the thousands—the Americans who died at the hands of criminal aliens who are in the United States illegally committing crimes against. And I call them Americans. Sometimes they are green card holders, lawful permanent residents.

□ 1830

Sometimes they are here on a visa. They are legally in the United States. Sometimes they are illegal aliens that also crept into America that die at the hands of those who should not be here.

Now, from where I stand, every life that has been sacrificed, that has been taken at the hand of someone who is unlawfully present in the United States of America, every life could have been saved. Every crime is a preventable crime, and I have lived that and believed that for a long time, Mr. Speaker.

As I came to this Congress some 14 years ago, I listened to the witnesses before the Immigration Subcommittee, and the witnesses would continually testify about how many lives were lost in the Arizona desert as people were trying to sneak into America. Having snuck across the border and they are trying to creep through the desert, often the heat will affect them, and they will be without water and they will die of exposure or exhaustion. The numbers went from roughly 200 a year in the Arizona desert, I recall them going up to as high as 450. That testimony would come almost every hearing, someone would come in and testify to the number of lives lost on an annual basis in the Arizona desert.

I began to wonder, as I would hear the news stories in the United States of the Kate Steinles and the Jamiel Shaws—Jamiel Shaw's son, Jas Shaw, a 17-year-old high school football star who was killed on the streets in southern California at the hand of a Mexican drug gang member who had been given the assignment to go out and kill a Black person. Jas, the son, had just spoken to his father on the cell phone and said: I will be home in just a few minutes, Dad.

But he never came home because he was shot in the head and killed up the street a block or two from his home because he was Black, because the assignment to his murderer was to go kill a Black person. Jamiel Shaw will never, never forget those days. Neither will Jas's mother, who was serving in the military and, I believe, deployed at the time. Both of them have testified here in the United States Congress.

There are others. Sarah Root from Modale, Iowa, a perfect 4.0 grade point average, studying criminal investigation at Bellevue University in Omaha. I believe the date that she graduated would have been January 30, 2016. The next day she was run over and brutally killed by a drag racing, illegal alien, Mejia—Eswin, I believe his first name was, Mejia—who had 2½ times the legal blood alcohol content. He was drag racing, and he ran Sarah Root, this perfect young woman with the beginning of her adult life set up perfectly in front of her, the only daughter of her father, Scott, and her mother, Michelle. She had a brother, Scotty. Sarah's parents have both testified also before the House Committee on the Judiciary.

This is personal, Mr. Speaker. It is personal to these families that have lost a loved one that they know would be alive today if the administrations had enforced existing immigration laws.

When I read the very, very sad story in Cottonwood, Minnesota, southwest Minnesota, not very far from my district, several years ago where a schoolbus full of kids was taking kids home from school, from after school, and an illegal alien who had twice encountered law enforcement and twice been released on the streets because the local law enforcement decided ''it is not my job,'' ran the schoolbus off the road and into the ditch, and the bus rolled over. Four grade-school children were killed up by Cottonwood, Minnesota: a brother and a sister, and then separate children from two other families. Three families grieving at the tragic, horrible death of their grade-school children.

If we had enforced our immigration laws, those children would be alive today. They would be living, laughing, loving, studying, maybe teaching. They would be falling in love and doing all of the things that we want them to do as Americans, but their lives were snuffed out because we had an administration that refuses to enforce the law.

Others would say: Well, Congressman KING, you cannot assert that it is because of illegal activity or illegal aliens in America that brought about the death of those four children in Cottonwood, Minnesota, or the death of Sarah Root from Modale, Iowa, or the death of Kate Steinle in San Francisco, or Jas Shaw, or Brandon Mendoza, or Dominic Durden.

All of their lives and thousands more have been lost because we refused to enforce immigration law.

They tell me: No, crimes will be committed, bad things will happen; it has got nothing to do with not enforcing immigration law.

My answer to them is, Mr. Speaker: Then you go tell those parents in Cottonwood, Minnesota, that their children would still be dead if we had deported the perpetrator who killed them. You go tell the parents of Kate Steinle that she would still be dead if Juan Francisco Lopez-Sanchez had been effectively deported or locked up for a mandatory 5-year sentence, as we have written into Kate's law, that Kate would still be dead if we had enforced such a law on Sanchez. Or go tell the mother of Brandon Mendoza that her fine and proud law enforcement son would still be dead if we had deported the illegal who ran him down that day. Or tell Jamiel Shaw that his son, Jas, would still be dead if we had deported the illegal alien who murdered his son on the street in his neighborhood.

We know better, Mr. Speaker.

This is personal. It is personal in the lives of thousands of families in America who are suffering thousands of incidents of their grief that will be part of their lives. For generations, they will look back, and they will grieve for those lost family members who will not be there on Easter or on Christmas or on Thanksgiving, and they will grieve for the grandchildren who were never born, and they will call upon their surviving brothers and sisters: Now you are responsible to be the parents of the grandchildren for the parents who lost their daughter or lost their son.

That is what is at stake here, Mr. Speaker.

We are a nation of laws, but we are, today, a nation of not yet fully enforced laws, and we have had a President in the past who seemed to want to bring in the maximum number of illegal aliens and leave them here and keep them here. He never demonstrated a desire to enforce the law as he opened up the borders of America to people who are coming from terrorist-spawning countries. Now, thankfully, we have Donald Trump, who has stepped up to close those borders back down again and get a handle on this migration so that the American people can be safer. But we will be a lot safer with a fence, a wall, and a fence on our southern border.

By the way, at this point now, the United States is spending, annually, $13.4 billion a year—that is billion with a B—to secure our southern border, and we are getting perhaps 25 percent enforcement efficiency in that southern border—25 percent. That, by the way, is the testimony of the Border Patrol before the Committee on the Judiciary. It is not a number that is brought up from someone who wants to be critical of them.

I salute the Border Patrol. They have got a tough job. But their operation has not been managed for the purpose of securing our border and achieving border security. They have tried to redefine it as to something else.

Oh, $13.4 billion a year spent on our 2,000-mile southern border. Now, somebody out there, Mr. Speaker, has done the math on that and divided 2,000 miles into $13.4 billion. That comes to $6.7 million a mile to secure our southern border, $6.7 million a mile for every

mile every year, day and night—$6.7 million.

I would just ask people, contemplate that cost, that heavy cost, $6.7 million a mile. What can you buy for that?

Well, you can buy an interstate highway, and you can have $2.7 million left over and change per mile. We can take one annual budget of our southern border—if we do what Mr. O'ROURKE wants to do and open the border, we can lay the Border Patrol off for a year, take that $6.7 million a mile, the $13.4 billion, and we can build an interstate highway the full length of that and have $2.7 million a mile left over. That is how much money is being spent on the southern border to get 25 percent efficiency.

You cannot convince me that if we spend $1.3 million a mile for the wall—if we dial that up to 2 or a little more than $2 million a mile so we can cover a fence on either side of that wall and access roads that would be built out of necessity to build it and to maintain it and to patrol it—a couple million dollars a mile on that, wouldn't give us something pretty close to Israeli-level border security. That is nearly 100 percent. That is up into the 99 percentile and beyond that into the efficiency of the security of our border. Of course we could get that kind of security on our border.

It doesn't mean we just build it and walk away. People on that side would like to have you think that, that somehow we would just build a wall and walk away and we leave the ladders put up on the south side of the border. No, we would maintain that. We would patrol it. We would fly it. We would patrol it with vehicles. We would have vibration sensors. We would put wire on top, and that wire on top would signal to us if anybody grounded that wire, tried to breach that, touch that wire, brought it to the ground. It would tell us in the control centers exactly where that breach was attempted to take place. We would zero our enforcement in on them and we would enforce it, and we would maintain it so that it functions 100 percent all the time.

I see the fence we have got on the border now, and sometimes they will come on the other side, take a set of wire cutters, cut themselves a gate through a chain-link fence. I believe I saw this in Lukeville, Arizona. There they take a chain and thread it through the chain-link fence, put a padlock on it, and it is their personal gate to come and go into America whenever they see fit, with a great, big huge brown mastiff on a bigger chain yet laying there by that gate with a growl under his throat waiting for anybody who might decide they want to walk through that gate in the fence.

We can do a lot better. We will do a lot better, $6.7 million a mile. Let me pose this another way for people who have a different way of putting images in their head.

For me, I live out in the country in Iowa. We have gravel roads every mile, in the flat country at least. From where I live, my west road runs a mile out there to the intersection where it goes on in four directions, gravel road.

So let's just say that General Kelly, Secretary Kelly, came to me and he said: STEVE, I want you to guard your west mile, and I want you to secure that border so that 25 percent of the people that are trying to get across there will be interdicted and won't be able to get across that border. So what would you take to give me that level of security for a mile of road and, say, a mile, the west gravel road from my house?

He said: I have got a bid. I will give you $6.7 million—that is the average going rate for a mile—and you will get that every year. By the way, we do our budgets on a 10-year contract, so I will give you $67 million to secure 1 mile of Iowa gravel road.

Do you think I could secure that border for $67 million for 10 years? And do you think that I would hire a lot of people to sit there in their humvees and talk back and forth on the radio and let people walk around them coming across that border if my job was to secure it? No. I would build a fence, a wall, and a fence on that mile. I would spend less than $2 million for that mile.

Yes, I would hire a border patrol, and I would put the bells and whistles, the accessories on that wall so that we had the warning signals that are there. I would minimize the labor; I would maximize the technology. But I would put the resources there to get the job done 100 percent, not 25 percent, and I could do it for, you know, a lot less than $6.7 million per mile per year. It wouldn't take a $67 million contract for a 10-year contract to secure that border. Infrastructure does its job. You build the wall.

Remember President Obama, he said he had prosecutorial discretion, and so he created these great classes of people and violated the Constitution and granted a waiver for the application of our criminal laws against people who had come into the United States illegally. And he said: Well, we are doing this on a case-by-case basis.

Janet Napolitano wrote the memo. We have got the ICE memo or the Napolitano memo that lays out the exemptions to the law. Seven times in there she wrote, ''on an individual basis only.'' That is in there because she knows that the court case turns on prosecutorial discretion, which can only be applied if you are not going to enforce the law, the prosecutors do have discretion. If it is not practical to do so, if you don't have the resources, they should use the resources to their best advantage. You can do that on an individual basis and be within the law and be constitutional.

But once you have a President Obama creating huge classes of people that number in the hundreds of thousands—in fact, in the millions—then what you have, Mr. Speaker, is a violation of the law and the Constitution, and it is the executive branch, the President of the United States making up law as he goes along and violating the separation of powers.

□ 1845

Well, through that, when the President says: I have prosecutorial discretion, and anybody who walks across the border is not going to be troubled. We will meet them with the welcome wagon and fly them to any State in the Union they choose—that happens, Mr. Speaker—it is real. That is not a fabrication or an embellishment. It is even worse than that.

But what benefit does a wall have? In addition to, it provides security of the United States of America. A wall doesn't have prosecutorial discretion. We make up its mind when we build the wall. And if they can't get across there, and we maintain and protect it, then we get the effectiveness of it, regardless of who the President is. And if we get a President in the future who doesn't secure and maintain and enforce the wall, then we have a serious cause that we can point to rather than a vague legal argument manufactured by a former adjunct professor who taught constitutional law at the University of Chicago.

And so, Mr. Speaker, building a fence, a wall, and a fence on our southern border is a wise and prudent thing to do. It will pay for itself before we can even get it built. It will dramatically slow down the illegal drugs that are coming into America that come from or through Mexico. Remember, 80 to 90 percent of them. Dramatically slow them down. The illegal traffic that is coming in, it will shut off most all of that. I would agree with the gentleman from El Paso that we should then beef up our ports of entry so we can facilitate a faster flow of legal traffic in and out of America.

But the American people need to decide who is coming into America and who is leaving America. We should not have an immigration policy that is established by the people who live anywhere but America or by the people who are anything but citizens of the United States. The citizens of America should make this decision through their elected representatives by exercising the enumerated power in the Constitution that Congress has to establish immigration laws.

Internally, our domestic laws need to be enforced. And we need to recruit local law enforcement by expanding the 287(g) program and the Secure Communities program. We need to incorporate the city police, the county sheriff and deputy force, and the highway patrol, or Division of Criminal Investigation—Department of Public Safety officers, as Texas has—all to work with our Federal officers, so it is a seamless network working together to provide secure communities in America, restore the respect for the rule of law, shut down the flow of drugs

into the United States, shut off the illegal traffic into America, shut off the terrorists who are sneaking into America because the easiest and most reliable way for them to get here is across our southern border. If we do all of that, there will be respect for both countries that will be established.

And I would say this to President Trump. And that is, he is a builder, I am a builder. I don't have any doubt about how to build that wall or to build the fences on the south and north side of that so that we have two no-man's lands to patrol. I don't know that he has any doubt about it either. He has said that he will build a big, beautiful wall.

Well, I am looking for the architect's ideas on beauty. That is not my forte. But the structural functionality and the efficiency of its construction is my forte. And I encourage that we draw up the plans and designs for this and let contracts to those contractors who can effectively and efficiently do this in a competitive low-bid fashion with a proper inspection, and we will build that barrier that can stand for a long time, designed to keep people and contraband out, as every other wall in the history of the world, including the Great Wall of China and the walls that were built in northern England and those across northern Germany. The Romans built walls there to protect themselves as well.

Each wall, with the exception of those designed by communists to keep their subjects in, has been designed to keep people out. There is a huge moral difference between a wall to keep people in and a wall to keep criminals, terrorists, and also decent people, and contraband out. It is a simple equation.

Mr. Speaker, I appreciate your attention here this evening on this topic. I look forward to the construction of the fence, the wall, and the fence on our southern border, and the restoration of the respect for the rule of law.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CLARK of Massachusetts (at the request of Ms. PELOSI) for today and the balance of the week on account of family emergency.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON HOMELAND SECURITY FOR THE 115TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, February 1, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 2(a) of rule XI of the Rules of the House of Representatives, I submit the Rules of the Committee on Homeland Security for the 115th Congress for publication in the Congressional Record. On February 1, 2017, the Committee on Homeland Security met in open session and adopted these Committee Rules by a recorded vote of 18 yeas and 10 nays, a quorum being present.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

Enclosure.

(Adopted February 1, 2017)

RULE I.—GENERAL PROVISIONS.

(A) *Applicability of the Rules of the U.S. House of Representatives.*—The Rules of the U.S. House of Representatives (the ''House'') are the rules of the Committee on Homeland Security (the ''Committee'') and its subcommittees insofar as applicable.

(B) *Applicability to Subcommittees.*—Except where the terms ''Full Committee'' and ''subcommittee'' are specifically mentioned, the following rules shall apply to the Committee's subcommittees and their respective Chairmen and Ranking Minority Members to the same extent as they apply to the Full Committee and its Chairman and Ranking Minority Member.

(C) *Appointments by the Chairman.*—Clause 2(d) of Rule XI of the House shall govern the designation of a Vice Chairman of the Full Committee.

(D) *Conferences.*—The Chairman is authorized to offer a motion under clause 1 of Rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

(E) *Committee Website.*—The Chairman shall maintain an official Committee web site for the purposes of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee Members, other Members, and the public at large. The Ranking Minority Member may maintain a similar web site for the same purposes. The official Committee web site shall display a link on its home page to the web site maintained by the Ranking Minority Member.

(F) *Activity Report.*—The Committee shall submit a report to the House on the activities of the Committee in accordance with House rule XI 1(d).

RULE II.—SUBCOMMITTEES.

(A) *Generally.*—The Full Committee shall be organized into the following six standing subcommittees and each shall have specific responsibility for such measures or matters as the Chairman refers to it:

(1) Subcommittee on Counterterrorism and Intelligence;

(2) Subcommittee on Border and Maritime Security;

(3) Subcommittee on Cybersecurity and Infrastructure Protection;

(4) Subcommittee on Oversight and Management Efficiency;

(5) Subcommittee on Transportation and Protective Security; and

(6) Subcommittee on Emergency Preparedness, Response and Communications.

(B) *Selection and Ratio of Subcommittee Members.*—The Chairman and Ranking Minority Member of the Full Committee shall select their respective Members of each subcommittee. The ratio of Majority to Minority Members shall be comparable to the Full Committee, consistent with the party ratios established by the Majority party, except that each subcommittee shall have at least two more Majority Members than Minority Members.

(C) *Ex Officio Members.*—The Chairman and Ranking Minority Member of the Full Committee shall be ex officio members of each subcommittee but are not authorized to vote on matters that arise before each subcommittee. The Chairman and Ranking Minority Member of the Full Committee shall only be counted to satisfy the quorum requirement for the purpose of taking testimony and receiving evidence.

(D) *Powers and Duties of Subcommittees.*—Except as otherwise directed by the Chairman of the Full Committee, each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Full Committee on all matters within its purview. Subcommittee Chairmen shall set hearing and meeting dates only with the approval of the Chairman of the Full Committee. To the greatest extent practicable, no more than one meeting and hearing should be scheduled for a given time.

RULE III.—SPECIAL COMMITTEE PANELS.

(A) *Designation.*—The Chairman of the Full Committee may designate a special panel of the Committee consisting of Members of the Committee to inquire into and take testimony on a matter or matters that warrant enhanced consideration, and to report to the Committee.

(B) *Party Ratios and Appointment.*—The chairman of a special panel shall be appointed by the Chairman of the Full Committee. The Ranking Minority Member of the Full Committee may select a ranking minority member for a special panel and may appoint additional minority members, consistent with the ratio of the full committee. The Chairman and Ranking Minority Member may serve as ex officio members.

(C) *Duration.*—No special panel shall continue in existence for more than six months.

(D) *Jurisdiction.*—No panel shall have legislative jurisdiction.

RULE IV.—REGULAR MEETINGS.

(A) *Regular Meeting Date.*—The regular meeting date and time for the transaction of business of the Full Committee shall be at 10:00 a.m. on the first Wednesday that the House is in Session each month, unless otherwise directed by the Chairman.

(B) *Additional Meetings.*—At the discretion of the Chairman, additional meetings of the Committee may be scheduled for the consideration of any legislation or other matters pending before the Committee, or to conduct other Committee business. The Committee shall meet for such purposes pursuant to the call of the Chairman.

(C) *Consideration.*—Except in the case of a special meeting held under clause 2(c)(2) of House Rule XI, the determination of the business to be considered at each meeting of the Committee shall be made by the Chairman.

RULE V.—NOTICE AND PUBLICATION.

(A) *Notice.*—

(1) Hearings.—(a) Pursuant to clause 2(g)(3) of rule XI of the Rules of the House of Representatives, the Chairman of the Committee shall make public announcement of the date, place, and subject matter of any hearing before the Full Committee or subcommittee, which may not commence earlier than one week after such notice.

(b) However, a hearing may begin sooner than specified in (a) if the Chairman of the Committee, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin such hearing sooner, or if the Committee so determines by majority vote, a quorum being present for the transaction of business. If such a determination is made, the Chairman shall make the announcement required under (a) at the earliest possible date. To the extent practicable, the names of all witnesses scheduled to appear at such hearing shall be provided to Members no later than 48 hours prior to the commencement of such hearing.

(2) Meetings.—The Chair shall announce the date, time, place and subject matter of

any meeting, which may not commence earlier than the third day on which Members have notice thereof except in the case of a special meeting called under clause 2(c)(2) of House Rule XI. These notice requirements may be waived if the Chairman with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting sooner or if the Committee so determines by majority vote, a quorum being present for the transaction of business.

(a) At least 48 hours prior to the commencement of a meeting for the markup of legislation, or at the time of announcement of the meeting, if less than 48 hours under Rule V(A)(2), the text of such legislation to be marked up shall be provided to the Members, made publicly available in electronic form, and posted on the official Committee web site.

(b) Not later than 24 hours after concluding a meeting to consider legislation, the text of such legislation as ordered forwarded or reported, including any amendments adopted or defeated, shall be made publicly available in electronic form.

(3) Briefings.—The Chairman shall provide notice of the date, time, place, and subject matter of a Member briefing. To the extent practicable, a Member briefing shall not commence earlier than the third day on which Members have notice thereof.

(4) Publication.—House Rule XI 2(g)(3)(C) is hereby incorporated by reference.

RULE VI.—OPEN MEETINGS AND HEARINGS; BROADCASTING.

(A) *Open Meetings.*—

(1) All meetings and hearings of the Committee shall be open to the public including to radio, television, and still photography coverage, except as provided by Rule XI of the Rules of the House or when the Committee, in open session and with a majority present, determines by recorded vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, compromise sensitive law enforcement information, tend to defame, degrade or incriminate a witness, or violate any law or rule of the House of Representatives.

(2) The Committee or Subcommittee may meet in executive session for up to five additional consecutive days of hearings if agreed to by the same procedure.

(B) *Broadcasting.*—Whenever any hearing or meeting conducted by the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered by television broadcast, internet broadcast, print media, and still photography, or by any of such methods of coverage, in accordance with the provisions of clause 4 of Rule XI of the Rules of the House. Operation and use of any Committee operated broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of Rule XI and all other applicable rules of the Committee and the House. Priority shall be given by the Committee to members of the Press Galleries. Pursuant to clause 2(e) of rule XI of the Rules of the House of Representatives, the Committee shall, to the greatest extent practicable, provide audio and video coverage of each hearing or meeting in a manner that allows the public to easily listen to and view the proceedings and shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(C) *Transcripts.*—A transcript shall be made of the testimony of each witness appearing before the Committee during a Committee hearing. All transcripts of meetings or hearings that are open to the public shall be made available.

RULE VII.—PROCEDURES FOR MEETINGS AND HEARINGS.

(A) *Opening Statements.*—At any meeting of the Committee, the Chairman and Ranking Minority Member shall be entitled to present oral opening statements of five minutes each. Other Members may submit written opening statements for the record. The Chairman presiding over the meeting may permit additional opening statements by other Members of the Full Committee or of that subcommittee, with the concurrence of the Ranking Minority Member.

(B) *The Five-Minute Rule.*—The time any one Member may address the Committee on any bill, motion, or other matter under consideration by the Committee shall not exceed five minutes, and then only when the Member has been recognized by the Chairman, except that this time limit may be extended when permitted by unanimous consent.

(C) *Postponement of Vote.*—The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment and may resume proceedings on a postponed vote at any time after reasonable notice to Members by the Clerk or other designee of the Chairman. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(D) *Record.*—Members may have 10 business days to submit to the Chief Clerk of the Committee their statements for the record, and, in the case of a hearing, additional questions for the hearing record to be directed towards a witness at the hearing.

RULE VIII.—WITNESSES.

(A) *Questioning of Witnesses.*—

(1) Questioning of witnesses by Members will be conducted under the five- minute rule unless the Committee adopts a motion permitted by clause 2(j)(2) of House Rule XI.

(2) In questioning witnesses under the five-minute rule, the Chairman and the Ranking Minority Member shall first be recognized. In a subcommittee meeting or hearing, the Chairman and Ranking Minority Member of the Full Committee are then recognized. All other Members who are present before the commencement of the meeting or hearing will be recognized in the order of seniority on the Committee, alternating between Majority and Minority Members. Committee Members arriving after the commencement of the hearing shall be recognized in order of appearance, alternating between Majority and Minority Members, after all Members present at the beginning of the hearing have been recognized. To the extent practicable, each Member shall be recognized at least once before any Member is given a second opportunity to question a witness.

(3) The Chairman, in consultation with the Ranking Minority Member, or the Committee by motion, may permit a specified number of Members to question a witness for a period longer than five minutes, but the time allotted must be equally apportioned to the Majority party and the Minority and may not exceed one hour in the aggregate.

(4) The Chairman, in consultation with the Ranking Minority Member, or the Committee by motion, may permit Committee staff of the Majority and Minority to question a witness for a specified period of time, but the time allotted must be equally apportioned to the Majority and Minority staff and may not exceed one hour in the aggregate.

(B) *Minority Witnesses.*—House Rule XI 2 (j)(1) is hereby incorporated by reference.

(C) *Oath or Affirmation.*—The Chairman of the Committee or any Member designated by the Chairman, may administer an oath to any witness.

(D) *Statements by Witnesses.*—

(1) Consistent with the notice given, and to the greatest extent practicable, witnesses shall submit a prepared or written statement for the record of the proceedings (including, where practicable, an electronic copy) with the Clerk of the Committee no less than 48 hours in advance of the witness's appearance before the Committee.

(2) In the case of a witness appearing in a non-governmental capacity, a written statement of proposed testimony shall include a curriculum vita and a disclosure of any Federal grants or contracts, or contracts or payments originating with a foreign government, received during the current calendar year or either of the two preceding calendar years by the witness or by an entity represented by the witness and related to the subject matter of the hearing. Such disclosures shall include the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing, and the amount and country of origin of any payment or contract related to the subject matter jurisdiction of the hearing originating with a foreign government. Such statements, with the appropriate redactions to protect the privacy or security of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

RULE IX.—QUORUM.

Quorum Requirements.—Two Members shall constitute a quorum for purposes of taking testimony and receiving evidence. One-third of the Members of the Committee shall constitute a quorum for conducting business, except for (1) reporting a measure or recommendation; (2) closing Committee meetings to the public, pursuant to Committee Rule IV; (3) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law. The Chairman's staff shall consult with the Ranking Minority Member's staff when scheduling meetings and hearings, to ensure that a quorum for any purpose will include at least one Minority Member of the Committee.

RULE X.—DECORUM.

(A) *Breaches of Decorum.*—The Chairman may punish breaches of order and decorum, by censure and exclusion from a hearing or meeting; and the Committee may cite the offender to the House for contempt.

(B) *Access to Dais.*—Access to the dais before, during, and after a hearing, markup, or other meeting of the Committee shall be limited to Members and staff of the Committee. Subject to availability of space on the dais, Committee Members' personal staff may be present on the dais during a hearing if their employing Member is seated on the dais and during a markup or other meeting if their employing Member is the author of a measure or amendment under consideration by the Committee, but only during the time that the measure or amendment is under active consideration by the Committee, or otherwise at the discretion of the Chairman, or of the Ranking Minority Member for personal staff employed by a Minority Member.

(C) *Wireless Communications Use Prohibited.*—During a hearing, mark-up, or other meeting of the Committee, ringing or audible sounds or conversational use of cellular telephones or other electronic devices is prohibited in the Committee room.

RULE XI.—REFERRALS TO SUBCOMMITTEES.

Referral of Bills and Other Matters by Chairman.—Except for bills and other matters retained by the Chairman for Full Committee

consideration, each bill or other matter referred to the Full Committee shall be referred by the Chairman to one or more subcommittees within two weeks of receipt by the Committee. In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Full Committee. Bills or other matters referred to subcommittees may be reassigned or discharged by the Chairman.

RULE XII.—SUBPOENAS; COUNSEL.

(A) *Authorization*.—The power to authorize and issue subpoenas is delegated to the Chairman of the Full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member prior to issuing any subpoena under such authority. To the extent practicable, the Chairman shall consult with the Ranking Minority Member at least 24 hours in advance of a subpoena being issued under such authority, excluding Saturdays, Sundays, and Federal holidays. The Chairman of the Full Committee shall notify Members of the Committee of the authorization and issuance of a subpoena under this rule as soon as practicable, but in no event later than one week after service of such subpoena.

(B) *Disclosure*.—Provisions may be included in a subpoena with the concurrence of the Chairman and the Ranking Minority Member of the Full Committee, or by the Committee, to prevent the disclosure of the Full Committee's demands for information when deemed necessary for the security of information or the progress of an investigation, including but not limited to prohibiting the revelation by witnesses and their counsel of Full Committee's inquiries.

(C) *Subpoena duces tecum*.—A subpoena duces tecum may be issued whose return to the Committee Clerk shall occur at a time and place other than that of a regularly scheduled meeting.

(D) *Counsel*.—When representing a witness or entity before the Committee in response to a document request, request for transcribed interview, or subpoena from the Committee, or in connection with testimony before the Committee at a hearing, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (a) counsel's name, firm or organization, and contact information; and (b) each client represented by the counsel in connection with the proceeding. Submission of a notice of appearance constitutes acknowledgement that counsel is authorized to accept service of process by the Committee on behalf of such client(s), and that counsel is bound by and agrees to comply with all applicable House and Committee rules and regulations.

RULE XIII.—COMMITTEE STAFF.

(A) *Generally*.—Committee staff members are subject to the provisions of clause 9 of House Rule X and must be eligible to be considered for routine access to classified information.

(B) *Staff Assignments*.—For purposes of these rules, Committee staff means the employees of the Committee, detailees, fellows, or any other person engaged by contract or otherwise to perform services for, or at the request of, the Committee. All such persons shall be either Majority, Minority, or shared staff. The Chairman shall appoint, supervise, where applicable determine remuneration of, and may remove Majority staff. The Ranking Minority Member shall appoint, supervise, where applicable determine remuneration of, and may remove Minority staff. In consultation with the Ranking Minority Member, the Chairman may appoint, supervise, determine remuneration of and may remove shared staff that is assigned to service of the Committee. The Chairman shall certify Committee staff appointments, including appointments by the Ranking Minority Member, as required.

(C) *Divulgence of Information*.—Prior to the public acknowledgement by the Chairman or the Committee of a decision to initiate an investigation of a particular person, entity, or subject, no member of the Committee staff shall knowingly divulge to any person any information, including non-classified information, which comes into his or her possession by virtue of his or her status as a member of the Committee staff, if the member of the Committee staff has a reasonable expectation that such information may alert the subject of a Committee investigation to the existence, nature, or substance of such investigation, unless authorized to do so by the Chairman or the Committee.

RULE XIV.—CLASSIFIED AND CONTROLLED UNCLASSIFIED INFORMATION.

(A) *Security Precautions*.—Committee staff offices, including Majority and Minority offices, shall operate under strict security precautions administered by the Security Officer of the Committee. A security officer shall be on duty at all times during normal office hours. Classified documents and controlled unclassified information (CUI) formerly known as sensitive but unclassified (SBU) information may be destroyed, discussed, examined, handled, reviewed, stored, transported and used only in an appropriately secure manner in accordance with all applicable laws, executive orders, and other governing authorities. Such documents may be removed from the Committee's offices only in furtherance of official Committee business. Appropriate security procedures, as determined by the Chairman in consultation with the Ranking Minority Member, shall govern the handling of such documents removed from the Committee's offices.

(B) *Temporary Custody of Executive Branch Material*.—Executive branch documents or other materials containing classified information in any form that were not made part of the record of a Committee hearing, did not originate in the Committee or the House, and are not otherwise records of the Committee shall, while in the custody of the Committee, be segregated and maintained by the Committee in the same manner as Committee records that are classified. Such documents and other materials shall be returned to the Executive branch agency from which they were obtained at the earliest practicable time.

(C) *Access by Committee Staff*.—Access to classified information supplied to the Committee shall be limited to Committee staff members with appropriate security clearances and a need-to-know, as determined by the Chairman or Ranking Minority Member, and under the direction of the Majority or Minority Staff Directors.

(D) *Maintaining Confidentiality*.—No Committee Member or Committee staff shall disclose, in whole or in part or by way of summary, to any person who is not a Committee Member or authorized Committee staff for any purpose or in connection with any proceeding, judicial or otherwise, any testimony given before the Committee in executive session except for purposes of obtaining an official classification of such testimony. Classified information and controlled unclassified information (CUI) shall be handled in accordance with all applicable laws, executive orders, and other governing authorities and consistently with the provisions of these rules and Committee procedures.

(E) *Oath*.—Before a Committee Member or Committee staff may have access to classified information, the following oath (or affirmation) shall be executed:

I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service on the Committee on Homeland Security, except as authorized by the Committee or the House of Representatives or in accordance with the Rules of such Committee or the Rules of the House.

Copies of the executed oath (or affirmation) shall be retained by the Clerk of the Committee as part of the records of the Committee.

(F) *Disciplinary Action*.—The Chairman shall immediately consider disciplinary action in the event any Committee Member or Committee staff member fails to conform to the provisions of these rules governing the disclosure of classified or unclassified information. Such disciplinary action may include, but shall not be limited to, immediate dismissal from the Committee staff, criminal referral to the Justice Department, and notification of the Speaker of the House. With respect to Minority staff, the Chairman shall consider such disciplinary action in consultation with the Ranking Minority Member.

RULE XV.—COMMITTEE RECORDS.

(A) *Committee Records*.— House Rule XI 2(e) is hereby incorporated by reference.

(B) *Legislative Calendar*.—The Clerk of the Committee shall maintain a printed calendar for the information of each Committee Member showing any procedural or legislative measures considered or scheduled to be considered by the Committee, and the status of such measures and such other matters as the Committee determines shall be included. The calendar shall be revised from time to time to show pertinent changes. A copy of such revisions shall be made available to each Member of the Committee upon request.

(C) *Members Right To Access*.—Members of the Committee and of the House shall have access to all official Committee Records. Access to Committee files shall be limited to examination within the Committee offices at reasonable times. Access to Committee Records that contain classified information shall be provided in a manner consistent with these rules.

(D) *Removal of Committee Records*.—Files and records of the Committee are not to be removed from the Committee offices. No Committee files or records that are not made publicly available shall be photocopied by any Member.

(E) *Executive Session Records*.—Evidence or testimony received by the Committee in executive session shall not be released or made available to the public unless authorized by the Committee, a majority being present. Such information may be made available to appropriate government personnel for purposes of classification. Members may examine the Committee's executive session records, but may not make copies of, or take personal notes from, such records.

(F) *Availability of Committee Records*.—The Committee shall keep a complete record of all Committee action including recorded votes and attendance at hearings and meetings. Information so available for public inspection shall include a description of each amendment, motion, order, or other proposition, including the name of the Member who offered the amendment, motion, order, or other proposition, and the name of each Member voting for and each Member voting against each such amendment, motion, order, or proposition, as well as the names of those Members present but not voting. Such record shall be made available to the public at reasonable times within the Committee offices and also made publicly available in

electronic form and posted on the official Committee web site within 48 hours of such record vote.

(G) *Separate and Distinct.*—All Committee records and files must be kept separate and distinct from the office records of the Members serving as Chairman and Ranking Minority Member. Records and files of Members' personal offices shall not be considered records or files of the Committee.

(H) *Disposition of Committee Records.*—At the conclusion of each Congress, non-current records of the Committee shall be delivered to the Archivist of the United States in accordance with Rule VII of the Rules of the House.

(I) *Archived Records.*—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The Chairman shall consult with the Ranking Minority Member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

RULE XVI.—COMMITTEE RULES.

(A) *Availability of Committee Rules in Electronic Form.*—House Rule XI 2(a) is hereby incorporated by reference.

(B) *Changes to Committee Rules.*—These rules may be modified, amended, or repealed by the Full Committee provided that a notice in writing of the proposed change has been given to each Member at least 48 hours prior to the meeting at which action thereon is to be taken and such changes are not inconsistent with the Rules of the House of Representatives.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 2, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

446. A letter from the Acting Commissioner, Social Security Administration, transmitting notification that the Administration has made a determination to contract with Equifax and ADP to obtain wage information from payroll data providers for the Supplemental Security Income and Social Security Disability Insurance programs, pursuant to Sec. 6.302-7(c)(2) of the Federal Acquisition Regulations; to the Committee on Oversight and Government Reform.

447. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Adjustments to Civil Monetary Penalty Amounts [Release Nos.: 33-10276; 34-79749; IA-4599; IC-32414] received January 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

448. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Section 5000A Hardship Exemption for HCTC-eligible Individuals (Notice 2017-14) received January 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCALISE (for himself and Mr. JODY B. HICE of Georgia):

H.R. 781. A bill to amend the Internal Revenue Code of 1986 to allow charitable organizations to make statements relating to political campaigns if such statements are made in the ordinary course of carrying out its tax exempt purpose; to the Committee on Ways and Means.

By Mr. MCHENRY (for himself and Ms. MENG):

H.R. 782. A bill to amend the Internal Revenue Code of 1986 to increase the amount excluded from gross income for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. LOBIONDO (for himself and Mr. PALLONE):

H.R. 783. A bill to amend chapter 178 of title 28 of the United States Code to permit during a 4-year period States to enact statutes that exempt from the operation of such chapter, lotteries, sweepstakes, and other betting, gambling, or wagering schemes involving professional and amateur sports; to the Committee on the Judiciary.

By Mr. PALLONE (for himself and Mr. LOBIONDO):

H.R. 784. A bill to amend title 28 of the United States Code to exclude the State of New Jersey from the prohibition on professional and amateur sports gambling to the extent approved by the legislature of the State; to the Committee on the Judiciary.

By Mr. KING of Iowa (for himself and Mr. WILSON of South Carolina):

H.R. 785. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Education and the Workforce.

By Mr. YARMUTH (for himself, Ms. SLAUGHTER, Mr. CONNOLLY, Ms. DEGETTE, Ms. MCCOLLUM, Mr. TONKO, Mr. CARTWRIGHT, Ms. SCHAKOWSKY, Ms. NORTON, Mr. BEYER, Mr. GRIJALVA, Mr. DEFAZIO, Ms. LEE, Mr. SCHIFF, Mr. BLUMENAUER, and Mr. MCNERNEY):

H.R. 786. A bill to place a moratorium on permitting for mountaintop removal coal mining until health studies are conducted by the Department of Health and Human Services, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. CUMMINGS, Mr. GARAMENDI, Mr. GRIJALVA, Ms. KAPTUR, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Ms. WASSERMAN SCHULTZ, Mr. DEUTCH, Mr. ELLISON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VEASEY, Mr. POCAN, Mr. TAKANO, Mr. MCGOVERN, and Mr. RYAN of Ohio):

H.R. 787. A bill to amend the Help America Vote Act of 2002 to promote early voting in elections for Federal office and to prevent unreasonable waiting times for voters at polling places used in such elections, and for other purposes; to the Committee on House Administration.

By Mr. HUNTER (for himself, Ms. CHENEY, Mr. WITTMAN, Mr. YOUNG of Alaska, Mr. WALZ, Mr. KINZINGER, Mr. PALAZZO, Mr. WESTERMAN, Mr. ABRAHAM, Mr. COMER, Mr. SESSIONS, Mr. KELLY of Pennsylvania, Mr. MARSHALL, Mr. LATTA, Mr. FARENTHOLD, Mr. JOHNSON of Ohio, Mr. MAST, Mr. GOSAR, Mr. LAMALFA, Mr. WELCH, Mr. LAMBORN, Mr. CUELLAR, Mr. PEARCE, and Mr. POLIS):

H.R. 788. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUDD (for himself, Mr. SANFORD, Mr. MEADOWS, Mrs. BLACK, and Mr. GOHMERT):

H.R. 789. A bill to amend the Foreign Assistance Act of 1961 to limit assistance to the Palestinian Authority and the Palestine Liberation Organization, and for other purposes; to the Committee on Foreign Affairs.

By Ms. KAPTUR (for herself, Mr. LYNCH, Mr. RYAN of Ohio, Mr. POCAN, Ms. DELAURO, Ms. NORTON, Ms. SCHAKOWSKY, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. SLAUGHTER, Mr. JONES, Mr. WELCH, Mrs. WATSON COLEMAN, Mr. SERRANO, Mr. LIPINSKI, Mr. GARAMENDI, Ms. SPEIER, Mr. ELLISON, Mr. CONYERS, Ms. GABBARD, Mr. GRIJALVA, Mr. TONKO, Mr. MCGOVERN, Mr. DEFAZIO, Ms. LEE, Mr. CAPUANO, Ms. PINGREE, and Ms. FUDGE):

H.R. 790. A bill to repeal certain provisions of the Gramm-Leach-Bliley Act and revive the separation between commercial banking and the securities business, in the manner provided in the Banking Act of 1933, the so-called ''Glass-Steagall Act'', and for other purposes; to the Committee on Financial Services.

By Mr. CARSON of Indiana:

H.R. 791. A bill to posthumously award a Congressional gold medal to Muhammad Ali, in recognition of his contributions to the Nation; to the Committee on Financial Services.

By Mr. KELLY of Pennsylvania (for himself and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 792. A bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes; to the Committee on Ways and Means.

By Mr. LARSEN of Washington (for himself, Mr. AGUILAR, Mr. CARBAJAL, Mr. CONNOLLY, Mr. COOPER, Mr. COURTNEY, Ms. DELBENE, Mr. GARAMENDI, Mr. HECK, Mr. KILMER, Mr. O'HALLERAN, Mr. PERLMUTTER, Mr. WALZ, and Mr. MCGOVERN):

H.R. 793. A bill to amend the National Security Act of 1947 to provide for additional requirements relating to the regular attendees of meetings of the National Security Council and bodies thereof; to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, and Intelligence (Permanent Select), for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Pennsylvania (for himself, Mr. HOYER, Ms. LOFGREN, and Mr. RASKIN):

H.R. 794. A bill to amend the Help America Vote Act of 2002 to reauthorize and improve the operation of the Election Assistance Commission, to provide funds to States to make security upgrades to voter registration lists and processes, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. PETERS, Ms. STEFANIK, Mr. POLIS, Mr. MACARTHUR, Ms. PINGREE, Mr. CRAWFORD, Mr. BLUMENAUER, Mr. ELLISON, Mr. VARGAS, Mr. BEYER, Mr. SWALWELL of California, Mr. ROUZER, Mr. BLUM, Mr. NOLAN, Mr. YOUNG of Iowa, Mr. BUCSHON, Mrs. LAWRENCE, Mr. TED LIEU of California, Ms. KUSTER of New Hampshire, Mr. HIMES, Mr. COSTELLO of Pennsylvania, and Ms. BROWNLEY of California):

H.R. 795. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payments of qualified education loans; to the Committee on Ways and Means.

By Mr. DESANTIS:

H.R. 796. A bill to amend title 18, United States Code, to establish a uniform 5-year post-employment ban on the lobbying of any officer or employee of the executive branch or any Member, officer, or employee of Congress by former executive branch officials and former Members, officers, and employees of Congress, to establish a lifetime post-employment ban on lobbying on behalf of foreign governments by former senior executive branch officials, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss GONZÁLEZ-COLÓN OF PUERTO RICO:

H.R. 797. A bill to amend title XIX of the Social Security Act to remove the matching requirement for a territory to use specially allocated Federal funds for Medicare covered part D drugs for low-income individuals; to the Committee on Energy and Commerce.

By Miss GONZÁLEZ-COLÓN OF PUERTO RICO:

H.R. 798. A bill to amend the Internal Revenue Code of 1986 to provide equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit and to provide the same treatment to families in Puerto Rico with one child or two children that is currently provided to island families with three or more children; to the Committee on Ways and Means.

By Mr. HILL (for himself, Mr. RICHMOND, Mr. WALKER, Mr. WESTERMAN, and Mrs. LOVE):

H.R. 799. A bill to authorize the Attorney General, in consultation with the Secretary of Education, to establish a pilot program to make grants to historically Black colleges and universities to provide educational programs to offenders who have recently been, or will soon be, released from incarceration, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself, Mr. POCAN, and Mr. NOLAN):

H.R. 800. A bill to establish the Office of Rural Broadband Initiatives within the Department of Agriculture, to preserve open internet requirements, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAHOOD (for himself, Mrs. NAPOLITANO, Mr. RODNEY DAVIS of Illinois, Mr. LIPINSKI, Mr. SCHIFF, Ms. JUDY CHU of California, Mrs. TORRES, and Mr. KINZINGER):

H.R. 801. A bill to amend the National Trails System Act to designate the Route 66 National Historic Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. MEADOWS:

H.R. 802. A bill to prohibit Senegal from receiving certain forms of development assistance for a two-year period and make available such assistance to Rwanda and Uganda, and for other purposes; to the Committee on Foreign Affairs.

By Ms. MENG:

H.R. 803. A bill to direct the United States Postal Service to designate a single, unique ZIP Code for Glendale, New York; to the Committee on Oversight and Government Reform.

By Mrs. MURPHY of Florida (for herself, Ms. VELÁZQUEZ, Mr. BEYER, Mr. HIGGINS of New York, Ms. CLARKE of New York, Ms. CLARK of Massachusetts, Ms. BORDALLO, Mr. BLUMENAUER, Ms. MENG, Mr. SCOTT of Virginia, Mr. MOULTON, Ms. MCCOLLUM, Mr. VARGAS, Ms. MOORE, Mr. SCHRADER, Ms. ROSEN, Ms. LEE, Mr. FOSTER, Mr. GARAMENDI, Mr. CÁRDENAS, Ms. SHEA-PORTER, Mr. KIND, Mr. JOHNSON of Georgia, Ms. CASTOR of Florida, Mr. TONKO, Mr. SERRANO, Mr. WELCH, Ms. SPEIER, Mr. CUELLAR, Ms. PINGREE, Mr. CICILLINE, Ms. BONAMICI, Mr. TED LIEU of California, Mr. NADLER, Mr. BEN RAY LUJÁN of New Mexico, Ms. MATSUI, Mr. CROWLEY, Mr. HIMES, Mr. DEFAZIO, Mr. COHEN, Ms. SCHAKOWSKY, Mr. SOTO, Mr. COSTA, Mr. RUPPERSBERGER, Ms. SINEMA, Ms. JUDY CHU of California, Mr. MCGOVERN, Mr. KILMER, Mr. RASKIN, Mr. BROWN of Maryland, Mr. SMITH of Washington, Mr. POLIS, Mr. CORREA, Mr. EVANS, Ms. BROWNLEY of California, Ms. ROYBAL-ALLARD, Mr. TAKANO, and Mr. SWALWELL of California):

H.R. 804. A bill to amend the National Security Act of 1947 to protect the National Security Council from political interference, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUNES (for himself and Mr. VALADAO):

H.R. 805. A bill to authorize the conveyance of and remove the reversionary interest of the United States in certain lands in the City of Tulare, California; to the Committee on Natural Resources.

By Mr. OLSON (for himself, Mr. FLORES, Mr. LATTA, Mr. BISHOP of Georgia, Mr. MCCARTHY, Mr. CUELLAR, Mr. SCALISE, Mr. COSTA, Mr. CRAMER, Mr. LONG, Mr. JENKINS of West Virginia, Mr. BURGESS, Mr. RENACCI, Mr. HENSARLING, Mr. MCKINLEY, Mr. GUTHRIE, Mr. BUCSHON, Mr. JOHNSON of Ohio, Mr. WEBER of Texas, and Mr. BABIN):

H.R. 806. A bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAULSEN (for himself, Mr. KIND, Mrs. BLACKBURN, Ms. MATSUI, Mr. MEEHAN, Ms. DELBENE, Mrs. RADEWAGEN, Mr. RYAN of Ohio, Mr. ELLISON, Mr. RUPPERSBERGER, Mr. CICILLINE, Mrs. COMSTOCK, Ms. JENKINS of Kansas, Mr. STEWART, Mr. THOMPSON of Pennsylvania, Mr. MURPHY of Pennsylvania, Mr. CARTER of Georgia, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MCCOLLUM, Mr. KELLY of Pennsylvania, Mr. JOYCE of Ohio, Mr. BLUMENAUER, Mr. BARLETTA, Mrs. NAPOLITANO, Mr. FOSTER, Mr. SESSIONS, Mr. CARSON of Indiana, Mr. SWALWELL of California, Mr. PASCRELL, Mr. LARSON of Connecticut, Ms. SLAUGHTER, Ms. ROYBAL-ALLARD, Ms. FRANKEL of Florida, Ms. BROWNLEY of California, Mr. KILDEE, Mr. POCAN, Mrs. WAGNER, Mr. HECK, Ms. JUDY CHU of California, Mr. MARINO, Mr. YOUNG of Alaska, Mr. LANGEVIN, Mr. COSTELLO of Pennsylvania, Mr. WILSON of South Carolina, Mr. ABRAHAM, Mr. LOWENTHAL, and Mr. POLIQUIN):

H.R. 807. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. LANCE, Mr. ZELDIN, and Mr. LAMBORN):

H.R. 808. A bill to impose nonnuclear sanctions with respect to Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, the Judiciary, Intelligence (Permanent Select), and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS:

H.R. 809. A bill to amend title 38, United States Code, to clarify presumptions of service-connection relating to the exposure to herbicides of certain veterans who served in the Armed Forces during the Vietnam Era, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUSH:

H.R. 810. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

By Mr. RUSSELL (for himself, Mr. MEADOWS, and Mr. BLUMENAUER):

H.R. 811. A bill to amend the Internal Revenue Code of 1986 to treat obligations financing professional sports stadiums as private activity bonds if such obligations meet the private business use test; to the Committee on Ways and Means.

By Mr. RYAN of Ohio (for himself, Mr. JOYCE of Ohio, Ms. FUDGE, Mrs. BEATTY, Ms. KAPTUR, Ms. NORTON, Mr. CUMMINGS, Mr. COHEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH

of Washington, Mr. RICHMOND, Mr. CONYERS, Ms. MOORE, Mr. CLAY, and Mr. SOTO):

H.R. 812. A bill to award a Congressional Gold Medal to Simeon Booker in recognition of his achievements in the field of journalism, including reporting during the Civil Rights movement, as well as social and political commentary; to the Committee on Financial Services.

By Ms. SÁNCHEZ (for herself, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Ms. SINEMA, Mr. NADLER, Mr. TAKANO, Mr. LARSEN of Washington, Mr. NOLAN, Mr. SOTO, Mr. POLIS, Mr. CICILLINE, Ms. PINGREE, Mr. VELA, Ms. CASTOR of Florida, Mr. GONZALEZ of Texas, Ms. JUDY CHU of California, Mr. GARAMENDI, Mrs. TORRES, Mr. SWALWELL of California, Mr. DESAULNIER, Mr. GRIJALVA, Mr. AGUILAR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HIMES, Ms. ADAMS, Mr. LANGEVIN, Mr. MCNERNEY, Ms. SHEA-PORTER, Ms. WILSON of Florida, Mr. PETERS, Mr. BEYER, Mr. LIPINSKI, Mr. COURTNEY, Ms. LEE, Mr. LOWENTHAL, Mr. AL GREEN of Texas, Mr. KILDEE, Mr. SEAN PATRICK MALONEY of New York, Ms. MOORE, Mr. MEEKS, Mr. RUSH, Mr. CÁRDENAS, Mr. YARMUTH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DEFAZIO, Mr. VARGAS, Mr. THOMPSON of California, Ms. CLARK of Massachusetts, Ms. KUSTER of New Hampshire, Mr. SMITH of Washington, Mr. DELANEY, Mr. SERRANO, Ms. LOFGREN, Mr. PERLMUTTER, Mr. BEN RAY LUJÁN of New Mexico, Mr. POCAN, Mr. GENE GREEN of Texas, Mr. BERA, Mr. KENNEDY, Mrs. NAPOLITANO, Mr. CONYERS, Mr. TED LIEU of California, Mr. KIND, and Mr. DEUTCH):

H.R. 813. A bill to restore access to year-round Federal Pell Grants; to the Committee on Education and the Workforce.

By Mr. ZELDIN:

H.R. 814. A bill to amend title 38, United States Code, to clarify that the estate of a deceased veteran may receive certain accrued benefits upon the death of the veteran, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ZELDIN:

H.R. 815. A bill to amend title 38, United States Code, to adjust certain limits on the guaranteed amount of a home loan under the home loan program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PEARCE (for himself, Mr. GOSAR, Mr. STEWART, Mrs. RADEWAGEN, Mr. CRAMER, Mr. GOHMERT, Mr. NEWHOUSE, Mr. BIGGS, Mr. WESTERMAN, and Mr. LAMBORN):

H.J. Res. 56. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to ''Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Site Security''; to the Committee on Natural Resources.

By Mr. ROKITA:

H.J. Res. 57. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. GUTHRIE:

H.J. Res. 58. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues; to the Committee on Education and the Workforce.

By Mr. MULLIN (for himself, Mr. GOSAR, Mr. GOHMERT, Mr. CRAMER, Mrs. BLACKBURN, Mrs. RADEWAGEN, Mr. CARTER of Georgia, Mr. COLLINS of Georgia, Mr. SESSIONS, Mr. BIGGS, Mr. FRANCIS ROONEY of Florida, Mr. NEWHOUSE, Mr. PERRY, Mr. HIGGINS of Louisiana, Mr. TIPTON, and Mr. ADERHOLT):

H.J. Res. 59. 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 ''Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act''; to the Committee on Energy and Commerce.

By Mrs. BEATTY (for herself, Mr. BUTTERFIELD, Ms. NORTON, Mr. GRIJALVA, Mr. CONYERS, Mr. MEEKS, Ms. MOORE, Mr. CLEAVER, Mr. LEWIS of Georgia, Mr. AL GREEN of Texas, Mr. CLAY, and Mr. RYAN of Ohio):

H. Con. Res. 16. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the Buffalo Soldiers; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas (for himself, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DEMINGS, Mr. ELLISON, Mr. EVANS, Ms. FUDGE, Mr. HASTINGS, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCEACHIN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Ms. PLASKETT, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, and Ms. WILSON of Florida):

H. Con. Res. 17. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 108th anniversary; to the Committee on the Judiciary.

By Mr. MEEHAN (for himself and Mr. DEUTCH):

H. Con. Res. 18. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. CROWLEY (for himself, Mrs. LOWEY, Mr. ENGEL, Mrs. BEATTY, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. CÁRDENAS, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Ms. DELAURO, Mr. ELLISON, Mr. ESPAILLAT, Mr. EVANS, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GOTTHEIMER, Mr. GENE GREEN of Texas, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HECK, Mr. HIGGINS of New York, Ms. JACKSON LEE, Mr. LEWIS of Georgia, Ms. KAPTUR, Mr. KENNEDY, Mr. KHANNA, Mr. KILDEE, Mr. LARSEN of Washington, Mrs. LAWRENCE, Mr. LEVIN, Mr. TED LIEU of California, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MENG, Mrs. MURPHY of Florida, Mrs. NAPOLITANO, Mr. NEAL, Mr. PASCRELL, Ms. PINGREE, Mr. RICHMOND, Ms. ROSEN, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Mr. SERRANO, Mr. SIRES, Mr. SUOZZI, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Ms. TSONGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mrs. BUSTOS, Mr. DEUTCH, Mr. VELA, Mr. SOTO, Mr. SMITH of Washington, Mr. AGUILAR, Mr. COURTNEY, Mr. QUIGLEY, Mr. POCAN, Mr. NOLAN, Mr. O'HALLERAN, Mr. BRADY of Pennsylvania, Mrs. DINGELL, Ms. TITUS, Ms. KELLY of Illinois, Mr. NORCROSS, Mr. POLIS, Mr. DESAULNIER, Mr. NADLER, Mr. PANETTA, Mr. HASTINGS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. TORRES, Mr. BISHOP of Georgia, Mr. BEN RAY LUJÁN of New Mexico, Mr. KILMER, Mr. KEATING, Miss RICE of New York, Ms. DELBENE, and Mr. GRIJALVA):

H. Res. 78. A resolution reiterating the indisputable fact that the Nazi regime targeted the Jewish people in its perpetration of the Holocaust and calling on every entity in the executive branch to affirm that fact; to the Committee on Foreign Affairs.

By Mr. AL GREEN of Texas (for himself, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DEMINGS, Mr. ELLISON, Mr. EVANS, Ms. FUDGE, Mr. HASTINGS, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCEACHIN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Ms. PLASKETT, Mr. RICHMOND, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, and Ms. WILSON of Florida):

H. Res. 79. A resolution recognizing the significance of Black History Month; to the Committee on Education and the Workforce.

By Mr. THORNBERRY (for himself and Mr. SMITH of Washington):

H. Res. 80. A resolution providing amounts for the expenses of the Committee on Armed Services in the One Hundred Fifteenth Congress; to the Committee on House Administration.

By Mr. WALDEN:

H. Res. 81. A resolution providing amounts for the expenses of the Committee on Energy and Commerce in the One Hundred Fifteenth Congress; to the Committee on House Administration.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SCALISE:
H.R. 781.
Congress has the power to enact this legislation pursuant to the following:
The First Amendment guarantees both free speech and the free exercise of religion.
The Free Speech Fairness Act restores these fundamental liberties to churches and nonprofits.
By Mr. MCHENRY:
H.R. 782.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1
By Mr. LOBIONDO:
H.R. 783.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Section 8 or Article 1 of the United States Constitution.
By Mr. PALLONE:
H.R. 784.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section VIII.
By Mr. KING of Iowa:
H.R. 785.
Congress has the power to enact this legislation pursuant to the following:
This act erases the forced-dues clauses in the National Labor Relations Act (NLRA) and Railway Labor Act (RLA). As such, this bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.
By Mr. YARMUTH:
H.R. 786.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 of the Constitution
By Mr. COHEN:
H.R. 787.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 4
By Mr. HUNTER:
H.R. 788.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18:
The Congress shall have Power to . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. BUDD:
H.R. 789.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the United States Constitution.
By Ms. KAPTUR:
H.R. 790.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18:
To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. CARSON of Indiana:
H.R. 791.
Congress has the power to enact this legislation pursuant to the following:
Clause 18 of section 8 of Article I of the Constitution.
By Mr. KELLY of Pennsylvania:
H.R. 792.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.
By Mr. LARSEN of Washington:
H.R. 793.
Congress has the power to enact this legislation pursuant to the following:
As described in Article I, Section 1, ''all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''
By Mr. BRADY of Pennsylvania:
H.R. 794.
Congress has the power to enact this legislation pursuant to the following:
This proposal is introduced pursuant to Article I.
By Mr. RODNEY DAVIS of Illinois:
H.R. 795.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of, and the sixteenth Amendment to, the United States Constitution.
By Mr. DESANTIS:
H.R. 796.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 5, Clause 2 (Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member).
By Miss GONZÁLEZ-COLÓN of Puerto Rico:
H.R. 797.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 1 of the U.S. Constitution
''All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''
By Miss GONZÁLEZ-COLÓN of Puerto Rico:
H.R. 798.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 1 of the U.S. Constitution
''All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''
By Mr. HILL:
H.R. 799.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Mr. HUFFMAN:
H.R. 800.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.
By Mr. LAHOOD:
H.R. 801.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2—''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. . .''
By Mr. MEADOWS:
H.R. 802.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.
By Ms. MENG:
H.R. 803.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution.
By Mrs. MURPHY of Florida:
H.R. 804.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact the Protect the National Security Council from Political Interference Act of 2017 pursuant to Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.
By Mr. NUNES:
H.R. 805.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of section 8 of article I of the Constitution of the United States.
By Mr. OLSON:
H.R. 806.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the Constitution of the United States
By Mr. PAULSEN:
H.R. 807.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1—to provide for the general welfare
Article 1, Section 8, Clause 18—necessary and proper clause
By Mr. ROSKAM:
H.R. 808.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the Constitution.
By Mr. ROSS:
H.R. 809.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
By Mr. RUSH:
H.R. 810.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3: ''The Congress shall have power to . . . regulate commerce . . . among the several states. . .''
By Mr. RUSSELL:
H.R. 811.
Congress has the power to enact this legislation pursuant to the following:.
Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. RYAN of Ohio:
H.R. 812.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Ms. SÁNCHEZ:
H.R. 813.
Congress has the power to enact this legislation pursuant to the following:
Article One, section 8, clause 18:
Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.
By Mr. ZELDIN:
H.R. 814.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

By Mr. ZELDIN:

H.R. 815.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. PEARCE:

H.J. Res. 56.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 and Article I, Section 8, clause 18

By Mr. ROKITA:

H.J. Res. 57.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. GUTHRIE:

H.J. Res. 58.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. MULLIN:

H.J. Res. 59.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. SAM JOHNSON of Texas.

H.R. 44: Mr. LOEBSACK.

H.R. 60: Mr. TAYLOR, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. FRELINGHUYSEN.

H.R. 82: Mr. SAM JOHNSON of Texas.

H.R. 113: Mr. KILMER, Mr. TED LIEU of California, Mr. SMITH of Washington, Mr. CARTWRIGHT, Mr. SIRES, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SCHIFF, Mr. MCNERNEY, and Mr. FOSTER.

H.R. 122: Mr. CUMMINGS, Ms. NORTON, Ms. MOORE, Ms. LEE, Mr. LEWIS of Georgia, Mr. JEFFRIES, and Mr. VEASEY.

H.R. 125: Mrs. CAROLYN B. MALONEY of New York.

H.R. 149: Ms. SCHAKOWSKY, Mr. ELLISON, Ms. NORTON, Ms. JUDY CHU of California, and Mr. RICHMOND.

H.R. 151: Mr. COHEN.

H.R. 159: Mr. SERRANO.

H.R. 169: Mr. SMITH of Washington.

H.R. 174: Mr. SMITH of Nebraska.

H.R. 202: Ms. MENG.

H.R. 233: Mr. COOK.

H.R. 241: Mr. BYRNE and Mr. SMITH of Texas.

H.R. 244: Mr. CARTER of Georgia and Mr. GIBBS.

H.R. 245: Ms. GABBARD and Mr. CARTER of Texas.

H.R. 246: Mrs. BROOKS of Indiana, Mr. THOMAS J. ROONEY of Florida, Mr. BUDD, Mr. WILSON of South Carolina, Mr. TROTT, Mr. HUNTER, Ms. KUSTER of New Hampshire, Mr. THOMPSON of Pennsylvania, Mr. SHIMKUS, and Mr. GOODLATTE.

H.R. 257: Mr. VARGAS.

H.R. 300: Mr. SMITH of Nebraska.

H.R. 334: Ms. JAYAPAL.

H.R. 354: Mr. RICE of South Carolina.

H.R. 361: Mr. GOHMERT.

H.R. 365: Mr. TIPTON and Mr. FORTENBERRY.

H.R. 371: Ms. ESHOO, Mrs. DEMINGS, Mr. PRICE of North Carolina, and Mr. JEFFRIES.

H.R. 391: Mr. FRANCIS ROONEY of Florida.

H.R. 392: Mr. MURPHY of Pennsylvania, Mr. PERRY, Mr. TED LIEU of California; Mr. CRAMER, Mr. YODER, Mr. SENSENBRENNER, Mr. COSTELLO of Pennsylvania, Mr. MCCAUL, Mr. COSTA, Mr. PALLONE, Ms. MOORE, Mrs. BROOKS of Indiana, Mrs. MCMORRIS RODGERS, and Mr. CARTWRIGHT.

H.R. 394: Mr. HUIZENGA, Ms. SINEMA, Mr. LONG, and Mr. DEFAZIO.

H.R. 422: Mr. WALKER.

H.R. 488: Mrs. TORRES.

H.R. 490: Mr. BABIN.

H.R. 504: Miss RICE of New York and Mr. JONES.

H.R. 512: Mr. BRADY of Pennsylvania.

H.R. 520: Mr. CULBERSON.

H.R. 523: Mr. HOLDING.

H.R. 532: Mr. BLUMENAUER, Ms. DEGETTE, Ms. DELAURO, Ms. DELBENE, Mr. GALLEGO, Mr. RASKIN, and Mr. VEASEY.

H.R. 559: Mr. KELLY of Mississippi.

H.R. 604: Mr. ROGERS of Alabama, Mrs. BLACK, Mr. BARTON, Mr. SAM JOHNSON of Texas, and Mr. KING of Iowa.

H.R. 625: Mr. VELA.

H.R. 628: Mr. HULTGREN.

H.R. 632: Ms. HANABUSA, Mr. MASSIE, and Mr. VALADAO.

H.R. 637: Mr. BUDD, Mrs. LOVE, Mr. CONAWAY, Mr. MCCAUL, Mr. MITCHELL, Mr. MCCLINTOCK, Mr. RENACCI, and Mr. ROSS.

H.R. 643: Mr. KING of Iowa.

H.R. 644: Mr. COLLINS of New York.

H.R. 660: Mr. MCCLINTOCK.

H.R. 673: Mr. GOHMERT, Mr. JONES, Mrs. WAGNER, Mr. ABRAHAM, and Mr. LATTA.

H.R. 681: Mr. SMITH of Missouri and Mr. BANKS of Indiana.

H.R. 683: Mr. COHEN.

H.R. 696: Mr. GALLEGO, Ms. BROWNLEY of California, Mr. MCGOVERN, Mrs. BEATTY, and Mr. GARAMENDI.

H.R. 721: Mr. YOUNG of Alaska.

H.R. 722: Mr. DANNY K. DAVIS of Illinois and Mr. EVANS.

H.R. 739: Ms. MCCOLLUM, Mr. GUTIÉRREZ, and Mr. MCGOVERN.

H.R. 743: Mr. GOSAR.

H.R. 747: Ms. DELBENE.

H.R. 749: Mr. PETERSON.

H.R. 771: Mr. MCEACHIN, Mr. BRADY of Pennsylvania, Mr. RUSH, and Ms. BASS.

H.R. 772: Mrs. BROOKS of Indiana.

H.J. Res. 6: Mr. ZELDIN and Mr. MAST.

H.J. Res. 17: Mr. COMER, Mr. ZELDIN, and Mr. BARR.

H.J. Res. 19: Mr. POLIS and Ms. BROWNLEY of California.

H.J. Res, 27: Mr. LUETKEMEYER and Mr. ALLEN.

H.J. Res. 36: Mr. WILLIAMS, Mr. NEWHOUSE, Mr. BIGGS, Mr. BRIDENSTINE, Mr. BRAT, Mr. ROTHFUS, and Mr. ARRINGTON.

H.J. Res. 38: Mr. NEWHOUSE, Mr. YOHO, Mr. WOODALL, and Mr. ABRAHAM.

H.J. Res. 43: Mr. ROKITA, Mr. COLLINS of Georgia, Mr. BIGGS, Mr. CARTER of Georgia, Mr. ARRINGTON, Mr. EMMER, Mr. BISHOP of Utah, Mr. BOST, Mr. BROOKS of Alabama, Mr. BYRNE, Mr. CULBERSON, Mr. NEWHOUSE, Mr. FORTENBERRY, Mr. RICE of South Carolina, Mr. MITCHELL, Mr. BUDD, Mr. AMASH, Mr. LOUDERMILK, Mr. DESANTIS, Mr. ROGERS of Kentucky, and Mr. THOMPSON of Pennsylvania.

H.J. Res. 44: Mr. YOUNG of Alaska, Mrs. LOVE, Mr. NEWHOUSE, Mr. BIGGS, and Mr. CHAFFETZ.

H.J. Res. 46: Mr. CRAMER.

H.J. Res. 48: Mr. BEYER and Mr. SERRANO.

H. Con. Res. 5: Ms. LEE.

H. Res. 23: Mr. POCAN and Mr. GRIJALVA.

H. Res. 28: Mr. REED, Mr. PASCRELL, Mrs. BEATTY, Mr. DENHAM, Mr. CAPUANO, Mr. MEEHAN, and Mr. THOMPSON of California.

H. Res. 31: Mr. THOMPSON of California, Mr. TED LIEU of California, Mr. BILIRAKIS, Ms. NORTON, Mr. RICHMOND, Mr. DEFAZIO, Mr. HASTINGS, Mr. JOHNSON of Ohio, Ms. LOFGREN, and Ms. MCCOLLUM.

H. Res. 35: Mr. DESJARLAIS.

H. Res. 38: Mr. SMITH of Texas, Mrs. BLACKBURN, Mr. DESANTIS, Mr. SANFORD, Mr. ROE of Tennessee, Mr. YOHO, Mr. BARTON, Mr. LAMBORN, Mr. LAMALFA, Mr. DAVIDSON, and Mr. KING of Iowa.

H. Res. 61: Mr. ELLISON.

H. Res. 72: Mr. KING of New York.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 611: Mr. HIMES.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, WEDNESDAY, FEBRUARY 1, 2017 No. 17

Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Merciful God, enthroned above all other powers, thank You for the opportunity to be called Your children.

Lord, our heart aches because of the pain and pessimism in our world, so use our lawmakers to bring hope where there is despair. Remind our Senators that Your power is far above any conceivable command, authority, or control. Empower them to protect and defend the Constitution of this great land against all enemies foreign and domestic. Our Father, inspire our Senators through the decisions they make to build monuments of courage and moral excellence.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mrs. ERNST). The clerk will report the unfinished business.

The senior assistant legislative clerk read the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

The PRESIDING OFFICER. Under the previous order, the remaining postcloture time will be equally divided between the two leaders or their designees.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Madam President, last night President Trump announced an outstanding nominee for the Supreme Court, Judge Neil Gorsuch of Colorado. While Judge Gorsuch has a significant legacy to live up to as the nominee for the seat left vacant by the loss of Justice Scalia, I am confident his impressive background and long record of service will prepare him well for the task ahead.

Like Justice Scalia, Judge Gorsuch understands the constitutional limits of his authority. He understands that a judge's duty is to apply the law evenhandedly, without bias toward one party or another. He understands that his role as a judge is to interpret the law, not impose his own viewpoint or political leanings.

He has also been recognized from people on both sides of the aisle as a consistent, principled, and fair jurist. Judge Gorsuch has a stellar reputation and a resume to match, with degrees from Harvard and Columbia, a Ph.D. in legal philosophy from Oxford, and just about every honor, award, and scholarship you can possibly imagine.

When he graduated from law school, Judge Gorsuch did not just clerk for one Supreme Court Justice, he clerked for two. They were Justices nominated by Presidents of different political parties—Anthony Kennedy, a Reagan appointee, and Byron White, who was nominated by JFK.

Judge Gorsuch received a unanimously ''well qualified'' rating by the American Bar Association when he was nominated to his current position on the court of appeals. He was confirmed without any votes in opposition. That is right—not a single Democrat opposed Judge Gorsuch's confirmation, not Senator Barack Obama, not Senator Hillary Clinton, not Senators Joe Biden or Ted Kennedy. In fact, not a single one of the Democrats who still serve with us opposed him, including the ranking member of the Judiciary Committee, Senator FEINSTEIN, and the Democratic leader himself, Senator SCHUMER. In the coming days, I hope and expect that all Senate colleagues will again give him fair consideration, just as we did for the nominees of newly elected Presidents Clinton and Obama.

This is a judge who is known for deciding cases based on how the law is actually written, not how he wishes it were written, even when it leads to results that conflict with his own political beliefs. He understands that his role as a judge is to interpret the law, not impose his own viewpoint. Here is how Judge Gorsuch himself put it: ''A judge who likes every result he reaches is very likely a bad judge, reaching for results he prefers rather than those the law compels.''

Some of our colleagues and some others on the left see the role of a judge very differently. In last year's Presidential debate, our former colleague, Secretary Clinton, stated her view that a Supreme Court Justice—now listen to this—ought to look more favorably on certain political constituencies than others; that it was the job of the Supreme Court to ''stand on the side'' of this group or another over that one. Some of our current colleagues seem to share this view. The assistant Democratic leader said that what is important to him are the political views of a Supreme Court nominee, what or perhaps whom they are going to stand for.

The problem with that approach is that it is great if you happen to be the party in the case whom the judge likes; it is not so great if you are the other guy. Justice Scalia believed this to his very core. He was an eloquent champion of the Constitution who was guided by important principles like applying the law equally to all, giving every litigant a fair shake, and rulings based on the actual meaning of the Constitution and our laws, not what you or your preferred political constituency wished they meant. These principles

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

helped guide Justice Scalia for many years. The record of Judge Gorsuch indicates that he will continue this legacy of fair and impartial justice.

Now, of course, that does not much matter to some over here on the far left. Despite his sterling credentials and bipartisan support, some on the far left decided to oppose Judge Gorsuch before he was even nominated. We already know what they will say about him as well. It is the same thing they have been saying about every Republican nominee for more than four decades. They said Gerald Ford's nominee, John Paul Stevens, ''revealed an extraordinary lack of sensitivity to the problems women face.'' They said Reagan's nominee, Anthony Kennedy, was a ''sexist'' who would ''be a disaster for women.'' They said George H.W. Bush's nominee, David Souter, was a threat to women, minorities, dissenters, and other disadvantaged groups. So it is not terribly surprising that they would say it again this time. What is disappointing is that leading Democrats in the Senate would adopt the same rhetoric. The ink was not even dry on Judge Gorsuch's nomination when the Democratic leader proclaimed that Judge Gorsuch had—you guessed it—demonstrated a hostility toward women's rights. I hope our colleagues will stick to the facts this time around.

We know that Justice Scalia's seat on the Court does not belong to any President or any political party; it belongs to the American people. When it became vacant in the middle of a contentious Presidential election, we followed the rule set down by Vice President Joe Biden and Democratic Leader Senator SCHUMER, which said that Supreme Court vacancies arising in the midst of a Presidential election should not be considered until the campaign ends. It is the same rule, by the way, that President Obama's own legal counsel admitted she would have recommended had the shoe been on the other foot.

I have been consistent all along that the next President, Democrat or Republican, should select the next nominee for the Supreme Court. I maintained that view even when many thought that particular President would be Hillary Clinton. But now the election season is over and we have a new President who has nominated a superbly qualified candidate to fill that ninth seat. So I would invite Democrats who spent many months insisting we need nine to join us in following through on that advice by giving the new President's nominee a fair consideration and an up-or-down vote, just as we did for past Presidents of both parties.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

UNANIMOUS CONSENT AGREEMENT—AUTHORITY FOR COMMITTEE TO MEET

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate Select Committee on Intelligence have leave to meet after 2 p.m. today.

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

NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Madam President, I rise today on a matter of great importance to everyone in this body and everyone in America: the future of the Supreme Court. Last night, the President nominated Judge Neil Gorsuch. We in the Senate have a constitutional duty to examine his record robustly, exhaustively, and comprehensively, and then advise and consent if we see fit. We have a responsibility to reject if we do not. We Democrats will insist on a rigorous but fair process. There will be 60 votes for confirmation. Any one Member can require it. Many Democrats already have.

And it is the right thing to do.

On a subject as important as a Supreme Court nomination, bipartisan support should be a prerequisite; it should be essential. That is what 60 votes does.

This is nothing new. It was a bar met by each of President Obama's nominations. In my mind, 60 votes is the appropriate way to go, whether there is a Democratic President or a Republican President, Democratic Senate or a Republican Senate.

Because a 60-vote threshold is essential, those who say that at the end of this process, there are only two possible results—that the Senate will confirm this nominee or the Republicans will use the nuclear option to change the rules of the Senate—are dead wrong. That is a false choice.

If this nominee cannot meet the same standard that Republicans insisted upon for President Obama's Supreme Court nominees—60 votes in the Senate—then the problem lies not with the Senate but with the nominee.

The answer should not be to change the rules of the Senate but to change the nominee to someone who can earn 60 votes. Sixty votes produces a mainstream candidate, and the need for a mainstream, consensus candidate is greater now than ever before because we are in new territory in two ways; first, because the Court, under Chief Justice Roberts, has shown increasing drift to become a more and more pro-business, pro-special interest Court, siding more with corporations and employers and special interests over working and average Americans. This in an environment where starkly unequal concentrations of wealth and ever-increasing corporate power—aided and abetted by the Citizens United decision—has skewed the playing field even more decisively toward special interests and away from the American citizen. A mainstream nominee would help reverse that trend, not exacerbate it; and, second, another important reason we are in a new world here, making a 60-vote margin even more important than it was before—as important as it was before—is this: This administration, at least since its outset, seems to have less respect for the rule of law than any in recent memory and is challenging the Constitution in an unprecedented fashion. So there is a special burden on this nominee to be an independent jurist.

Let's go over each point. First, we have a special responsibility to judge whether this nominee will further tip the scales on the Court in favor of Big Business and powerful special interests instead of the average American because over two decades this Court has shifted dangerously in the direction of Big Business and powerful special interests.

According to a study by the Minnesota Law Review, the Roberts Court has been the most business-friendly Supreme Court since World War II. It is the most corporate Court in over 70 years. It was pro-corporate when it frequently favored forced arbitration as a way to settle disputes, a process that limits the ability for individuals to form a class and collectively go after large corporate interests; it was pro-corporate when it repeatedly refused to hear legitimate cases where individuals have been harmed by faulty products, discriminatory practices, or fraud; and it was pro-corporate when it came down with one of the worst decisions in the history of the Court: Citizens United. By equating money with speech, the Citizens United decision cut right at the heart of the most sacred power in our democracy: the franchise of our citizens. It has poisoned our politics by allowing dark money to cascade into the system, entirely undisclosed.

With absolutely no precedent, the Roberts Court came up with the theory that money necessarily equals speech, and under the First Amendment, you are allowed to put your ad on TV 11,000 times to drown out all others, especially average Americans. That dampens the power of their voices, dilutes the power of their votes. The Citizens United decision was the worst decision in 100 years, and it is the embodiment of this new era of the corporate special interests Court.

At a time when massive inequality plagues our economy, dark money floods our politics, and faith in institutions is low, this rightward shift in the Court is an existential threat to our democracy.

Now, more than ever, we require a Justice who will move the Court back in the direction of the people, not only because that is what the law requires but because that is what our system of government requires—summed up, of course, by President Lincoln's declaration that it is ''a government of, by, and for the people.''

Second, we must insist upon a strong, mainstream, consensus candidate because this Supreme Court will be tried in ways that few Courts have been tested since the earliest days of the Republic, when constitutional questions abounded, because, again, this administration seems to have little regard for the rule of law and is likely to test the Constitution in ways it hasn't been challenged for decades.

Just 2 weeks in, the new administration has violated our core values, challenged the separation of powers, stretched the bounds of statute, and tested the very fabric of our Constitution in an unprecedented fashion. The President has questioned the integrity of our elections without evidence, issued legally and constitutionally dubious Executive actions, such as the one on immigration and refugees, and fired his Acting Attorney General for maintaining her fidelity to the law, rather than pledging obedience to the President. For that, the White House accused her of betrayal.

Acting Attorney General Sally Yates offered her professional legal opinion, but because it contradicted the administration's position, she was fired, even though the very purpose of the Department of Justice is to be an independent check on any administration.

We are just 13 days into this new administration. How many more of these dismissals will take place over the next 4 years?

This is not even close to normal. Many of us have lived through the first few weeks of several administrations of both parties. This is not even close to normal.

Now, more than ever, we need a Supreme Court Justice who is independent, who eschews ideology, who will preserve our democracy, protect fundamental rights, and will stand up to a President who has already shown a willingness to bend the Constitution.

The Supreme Court is now the bulwark standing between a President who, in too many instances, has little regard for the law, for the separation of powers, for American ideals, for the power of the legislative branch, and for the sanctity of the Nation.

Now, more than ever, we require a Justice who will fulfill the Supreme Court's role in our democracy as a check and balance on the other branches of government.

Because this President has started out in such a fundamentally undemocratic way, we have to examine this nominee closely. As to the nominee himself, I have serious concerns about how he measures up on these two great issues I just described.

First, Judge Gorsuch has consistently favored corporate interests over the rights of working people. He repeatedly sided with insurance companies which wanted to deny disability benefits to employees. In employment discrimination cases, Bloomberg found he has sided with employers a great majority of the time. In one of the few cases he sided with an employee, it was a Republican woman who alleged she was fired for being a conservative.

He wrote in an article in 2005 that securities class actions were just tools for plaintiffs' lawyers to get ''free ride[s] to fast riches,'' ignoring the fact that these lawsuits often bring justice to thousands and thousands of people who have no power without the class action suit.

On money and politics, he seems to be in the same company as Justices Thomas and Scalia, willing to restrict the most commonsense contribution limits.

It seems President Trump, who has said he would be for the working man and woman, has not chosen someone who routinely sides with the average American. Instead, it seems he has selected a nominee to the Supreme Court who sides with CEOs over citizens.

Second, Judge Gorsuch lacks a record demonstrating the kind of independence the Court desperately needs right now. He has shown a tendency to let ideology influence his decisions, criticizing ''liberals'' for turning to the courts to advance policy. The irony is this: Those who blame liberals for legislating through the courts are usually activist judges themselves. In recent years, conservative judges have proven to be the true activists, completely reimagining the scope of the First Amendment through Citizens United, gutting key provision of the Voting Rights Act that had lasted for decades and decades, and attempting to roll back the established law of the land, Roe v. Wade.

Judge Gorsuch has shown disdain for the use of the courtroom to vindicate fundamental rights, a viewpoint that should be anathema to anyone in the legal system but is particularly inappropriate for somebody who seeks a seat on the highest Court in the land. Because of this, women are duly worried about the preservation of their rights and equality, as is the LGBT community. With an administration that has already challenged fundamental American rights and will do so again, the courtroom must be a place where those rights can be vindicated.

As Senators, we are endowed with an awesome power to judge whether this man, Judge Gorsuch, has the right to a title that is higher than all the others in our judicial system, the title of ''Justice.''

Therefore, we must be absolutely certain that this person is a strong, mainstream candidate who has respect for the rule of law and the application of basic constitutional rights to all Americans, a deference to precedent, a nonideological approach to the Court, and the resolve to be a bulwark against the constitutional encroaches of this administration.

Judge Neil Gorsuch, throughout his career, has repeatedly sided with corporations over working people, demonstrated a hostility toward women's rights, and, most troubling, hewed to an ideological approach to jurisprudence that makes me skeptical that he can be a strong, independent Justice on the Court. Given that record, I have very serious doubts that Judge Neil Gorsuch is up to the job.

The Supreme Court now rests in a delicate balance. We cannot allow it to be further captured by corporate influence or bullied by Executive overreach.

The Senate has a responsibility to weigh this nominee with the highest level of scrutiny, to have an exhaustive, robust, and comprehensive debate on Judge Gorsuch's fitness to be a Supreme Court Justice. We Democrats will ensure that it does.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

AUTHORITY FOR COMMITTEE TO MEET VITIATED

Mr. SCHUMER. Madam President, I ask unanimous consent that the request in relation to the Senate Select Committee on Intelligence be vitiated.

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

The PRESIDING OFFICER. The Senator from Iowa.

NOMINATION OF NEIL GORSUCH

Mr. GRASSLEY. Madam President, last evening, I had the pleasure of being at the White House when President Trump introduced his nominee to be Associate Justice of the Supreme Court, Judge Neil Gorsuch, who happens to be serving on the Tenth Circuit Court of Appeals. It shouldn't surprise anybody that President Trump delivered on a promise made during the campaign, when he listed 21 people he would choose from. Everybody knew ahead of time what sort of a judge he would put on for this vacancy or any future vacancy.

Judge Gorsuch's decade of service on the Tenth Circuit has earned him a reputation as a brilliant, principled, and mainstream judge, just exactly the sort of mainstream that Senator SCHUMER must have been thinking about when he said he wants a mainstream judge.

It has already been widely reported that he was unanimously confirmed by a voice vote to the Tenth Circuit in 2006.

There are still 31 Senators in this body who voted for the judge at that particular time; 12 of them are Democrats, and one of them is Senator SCHUMER. Judge Gorsuch was supported, of course, by both of his home State Senators for the Tenth Circuit. One happened to be a Republican, and one a Democrat. He has been recognized as a great jurist by Members from both parties. For instance, when he was sworn into the Tenth Circuit, Senator Salazar, then a Democratic Senator from Colorado, remarked that the judge ''has a sense of fairness and impartiality that is a keystone of being a judge.''

The judge happens to be fourth generation Coloradan. He is eminently qualified to be the next Associate Justice of the Supreme Court. His decades of experience span many facets of our legal system. A graduate of Columbia University and Harvard Law School, the judge was also a prestigious Marshall scholar at Oxford. He served as Principal Deputy Attorney General at the Department of Justice.

Judge Gorsuch also knows the Supreme Court well, having clerked for Supreme Court Justices Byron White and also Anthony Kennedy, who is still on the Court.

He currently serves with distinction on the Tenth Circuit, where he has established himself as a mainstream judge with a reputation as a fair and brilliant jurist. As a mainstream jurist, Judge Gorsuch enjoys broad respect across the ideological spectrum. At the confirmation hearing for his current judgeship on the Tenth Circuit, he was introduced by Republican Senator Allard from Colorado and Democratic Senator Salazar from Colorado. Senator Salazar, of course, isn't exactly a conservative firebrand, having most recently served as head of the transition team of Secretary Clinton.

At his hearing in 2006, William Hughes, Jr., a Democratic candidate for the House of Representatives, authored a strong letter of recommendation for Judge Gorsuch stating:

> I have never found, nor thought, Neil's views or opinions to be tainted or swayed by any partisan leanings. Quite to the contrary, his approach to all things professional and personal has always been moderate and practical.

There are plenty of other examples of strong bipartisan support for Judge Gorsuch. Even observers in the press recognize his reputation for fairness. Just last week the Denver Post endorsed the judge, saying: He ''has applied the law fairly and consistently.''

Judge John Kane, a colleague on the District Court of Colorado, appointed by President Carter, says this about Judge Gorsuch:

> [He] listens well and decides justly. His dissents are instructive rather than vitriolic. In sum, I think he is an excellent judicial craftsman.

After his nomination was announced last evening, the highest praise so far came from President Obama's former Solicitor General, Neal Katyal, who described the nominee this way:

> Judge Gorsuch is one of the most thoughtful and brilliant judges to have served our nation over the last century. As a judge, he has always put aside his personal views to serve the rule of law. To boot, as those of us who have worked with him can attest, he is a wonderfully decent and humane person. I strongly support his nomination to the Supreme Court.

To me, following the law wherever that law and case may lead is perhaps the most important attribute for a Supreme Court Justice to possess. That principle guided Justice Scalia's decisionmaking and it is also how Judge Gorsuch has said judges should approach the law.

The judge once wrote, quoting Justice Scalia:

> If you are going to be a good and faithful judge, you have to resign yourself to the fact that you are not always going to like the conclusion you reach. If you like them all the time, you are probably doing something wrong.

That gets back to something very basic. A judge is supposed to be dispassionate. A judge is supposed to leave their personal views out of it. A judge looks at the law on the one hand and the facts of the case on the other and makes the decision based on just those two things. So from what I have learned so far, the judge's judicial record reflects this philosophy of being dispassionate, following the Constitution and the laws passed by Congress. I think he said last night something like this: A judge is supposed to judge and a legislature is supposed to legislate, and a judge should not be legislating.

Judge Gorsuch doesn't legislate from the bench, nor does he impose his own beliefs on others. To quote from a speech at Case Western, he said that judges should strive ''to apply the law as it is, focusing backward, not forward, and looking to the text, structure, and history to decide what a reasonable reader at the time of the events in question would have understood the law to be—not to decide cases based on their own moral convictions or the policy consequences they believe might serve society best.''

I believe it is this fundamental sense of fairness and sense of duty in upholding the Constitution and the laws passed by Congress that has led Judge Gorsuch to be a highly regarded jurist.

After the tragic passing of Justice Scalia, we made it clear that the Senate would wait for the American people to have a say in the future of the Court. I said even before the election that no matter who won the Presidential election, we would move forward with the new President's nominee. I maintained this position even on the eve of the election, and I maintained that position even when everyone seemed to believe that our next President would be Secretary Clinton. I have been consistent.

Unfortunately, some of my Democratic colleagues—the very Senators who held all those rallies chanting ''we need nine''—have already said they intend to do everything they can to stop this eminently qualified judge. That is very, very unfortunate. I hope and trust that approach won't be uniform on their side.

So I look forward to moving forward with a hearing, when we will learn a great deal more about Judge Gorsuch, and I look forward to an up-or-down vote on his nomination.

I thank the Senate, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CORNYN. Madam President, finally, on Monday, the Senate moved forward with the nomination of Rex Tillerson to be the next Secretary of State. His confirmation before this Chamber to serve as our top diplomat should have been a no-brainer, but we know that our Democratic colleagues are still trying to relitigate the election of November 8, and because their preferred candidate lost, they are now trying to do everything they can to slow-walk and to hamper the ability of the winner, President Trump, to get his Cabinet up and running to govern the country. While they think they may be hurting the President and his administration, what they are really doing is hurting the American people whom the government serves. I hope they will reconsider.

It is really sad it has taken this long due to the foot-dragging of our colleagues across the aisle who are sort of in a resistance mode. I really do believe it is like the stages of grief, like the Kubler-Ross stages, where the first one, of course, is denial, the second is anger, and then ultimately you get to acceptance. But they are a long way to acceptance, and they are still in the anger phase of their grieving the outcome of the November 8 election.

When the shoe was on the other foot, we confirmed seven of President Obama's Cabinet nominees on the day he was inaugurated—January 20, 2009—but apparently this is the new normal.

I just hope our Democratic colleagues realize that this is not serving the public interest, and it is not, frankly, good politics, it strikes me, to be so angry and throw a temper tantrum—or, as I said yesterday to some folks, growing up, people used to talk about throwing a hissy fit, and this really strikes me as throwing a hissy fit.

Much has been made of Rex Tillerson's incredible leadership role in a major corporation. Obviously, he has done a tremendous job for one of the largest businesses in the world. He was working for the shareholders of that corporation in that capacity. Now his enormous experience and aptitude and talent are going to be put to work for the American Nation and for the American people.

I believe that not only is he a person of conviction and competence, he is also a man of character. He believes in putting this country first, and I have no doubt he will serve the United States with great integrity and care.

It is none too early for us to transition to somebody of his great qualifications and experience. Our country is no longer respected by many of our friends around the world because we have withdrawn from international leadership. We are no longer feared by our adversaries, who are all too quick to fill the leadership vacuum around the world—Russia being perhaps the most obvious example not only in Crimea and in Ukraine but obviously in Syria and now in Libya. It is dangerous. It is destabilizing. So I am very pleased that we will have a new Secretary of State and a new national security leadership team.

If there is one thing that I think President Trump has done right, it is select good people, from MIKE PENCE as the Vice President, Gen. Jim Mattis as Secretary of Defense, Rex Tillerson as Secretary of State, and Gen. John Kelly of the Department of Homeland

Security. I think he has chosen very well. I could go on and on with his Cabinet members and say the same thing about each one of them.

We will vote on the confirmation of Mr. Tillerson shortly, between 2 and 2:30 p.m. or in that time frame.

NOMINATION OF NEIL GORSUCH

Madam President, what I want to talk about as well is the announcement that President Trump made last night about his choice to fill the Supreme Court vacancy left open by the tragic death of Justice Antonin Scalia. I couldn't be more pleased with his nomination of Judge Neil Gorsuch of the U.S. Court of Appeals for the Tenth Circuit. I can't imagine that the President could have chosen a more qualified, more principled, or more mainstream pick for the job of Justice of the U.S. Supreme Court.

We have all heard some of the details of his personal background, including that he is a Colorado native and that he served in the Denver-based Tenth Circuit Court for a decade, and he is well known and respected in legal circles for his intellect, his brilliant writing, and his faithful interpretation of the Constitution and laws passed by Congress. In short, he is a tremendous jurist with an impeccable legal and academic record. He went to schools like Columbia University, Harvard Law School, and Oxford as a Marshall scholar.

In addition to his decade on the bench, his professional experience includes many years practicing law. As a recovering lawyer myself and recovering judge, I can say that one of the things I think the Supreme Court needs is more people with practical experience, serving as lawyers for clients in court. We have some people with great academic credentials but very few people with any practical experience as practicing lawyers. It is important because once they get on the U.S. Supreme Court, Justices are totally isolated from the rest of the world by the nature of their job. So people need to come to that job with the experience of working with individuals, understanding the strengths and the weaknesses of the legal system and what their role should be.

He not only practiced law at a top law firm as a partner, he had prestigious clerkships, including on the Supreme Court of the United States. He actually clerked for two Supreme Court Justices—Justice Byron White and Justice Anthony Kennedy—as well as served in the Department of Justice.

There is absolutely no question that Judge Gorsuch is a qualified, high-caliber nominee, and I have no doubt that he will serve the Nation well. The reason I say he is a qualified, high-caliber nominee is because when he was confirmed to the Tenth Circuit Court of Appeals, he was confirmed by the Senate on a voice vote. In other words, he was essentially voted for unanimously, including by people like Senator SCHUMER, the Democratic leader, who was here at the time, and others of our colleagues across the aisle. So I think it is going to be very important for the American people, as they hear the inevitable criticism of this nomination, to remember the Senators who were here at the time Judge Gorsuch was confirmed to the Tenth Circuit, and they expressed none of those concerns or reservations then.

I think, most importantly, Judge Gorsuch will honor the legacy of Justice Antonin Scalia on the U.S. Supreme Court, but even more importantly, he will honor the U.S. Constitution and the unique role of our judiciary and our system of government. I think one of the things Justice Scalia made a point of during his professional lifetime was to point out how judges had unfortunately become policymakers rather than interpreters and appliers of the Constitution and the written law. Of course, the problem with that is that judges in the Federal system don't stand for election, so we have lifetime-tenured, unelected Federal judges becoming, in effect, a trump card or super-legislature for our system of government. That certainly isn't what James Madison and the Founding Fathers contemplated. Justice Scalia was a tribute to that traditional role of interpreter of a written Constitution and written laws and respecting the limited, albeit important, role judges play in our system of government.

Put another way, Judge Gorsuch meets every test, and he passes all of them with flying colors.

We have heard from the Democratic leader that President Trump needed to appoint a mainstream nominee. Well, there is no doubt that if that is the litmus test for our friends on the other side of the aisle, Judge Gorsuch meets that test. He has the respect of even people who served on the other side of him in litigation and people whose ideological views differ quite a bit.

Here is what a former Solicitor General under President Obama had to say about Judge Gorsuch:

> Judge Gorsuch is one of the most thoughtful and brilliant judges to have served our nation over the last century. As a judge, he has always put aside his personal views to serve the rule of law.

He goes on to say:

> I strongly support his nomination to the Supreme Court.

This is the sort of respect Judge Gorsuch, in his tenure as a judge, has generated. He has gained respect even from people who are on the opposite end of the ideological spectrum because they realize that Judge Gorsuch will be, first and foremost, somebody who applies the written Constitution and enforces the rule of law—laws passed by the political branches of government—and does not attempt to supplant his own personal agenda for that of the chosen representatives of the American people. As I said, that is why 11 years ago Democrats joined with Republicans to confirm him unanimously to the Tenth Circuit. I mentioned Senator SCHUMER, who was here at the time, as well as Senator DURBIN and several members of the Judiciary Committee still serving in the Senate, including the ranking member, Senator FEINSTEIN from California, and the senior Senator from Vermont, Senator LEAHY. All of them were here at the time. Because of the voice vote, they didn't note any dissent or disagreement, so we would say that essentially is a unanimous vote of the U.S. Senate. So it will be interesting to hear from them about any reservations or concerns they now voice. I hope that at least they will allow us to have an up-or-down vote on the nomination of this outstanding nominee.

To hear Judge Gorsuch last night and to look at his biography, to read his extensive record and appreciate his scholarship and his commitment to the rule of law—all of this is to see precisely the kind of person who should be confirmed to the Supreme Court. I believe the American people will see that as clear as day.

I hope our colleagues across the aisle will resist the temptation to obstruct and drag their feet when it comes to this important nomination. I hope they will not kowtow to some of the extreme factions in their own party.

They have repeatedly argued for the importance of having nine Justices on the Supreme Court. Now that the American people have spoken by electing President Trump, and he has now announced his pick, they should honor that selection. That pick is superb, the kind of nominee who was supported unanimously by Democrats in the past and is endorsed by President Obama's own Solicitor General.

Let's move forward with an undeniably qualified nominee.

Madam President, I ask unanimous consent that all remaining quorum calls during consideration of the Tillerson nomination be equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SCHUMER. Madam President, I am coming back to the floor to correct the record on my earlier comments, where I said Republicans ''insisted'' on 60 votes for each of President Obama's nominees. Sixty votes is a bar that was met by each of President Obama's nominees, but at the time, there was no need for a cloture vote because we knew each of them would garner 60.

This is important to clarify because I believe 60 votes is the right standard

for this nominee—not because they did it to us or we did it to them but because 60 votes, as I mentioned in my remarks, produces a mainstream candidate and, as I laid out earlier, the Supreme Court requires a mainstream candidate now more than ever.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HEINRICH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HEINRICH. Madam President, since President Trump was inaugurated, he has unveiled a series of damaging and truly un-American Executive orders—in particular, the Executive order banning refugees and individuals from Muslim-majority countries from entering our country.

For President Trump and his team, it is a projection of an inward-looking, isolationist vision for America. For many New Mexicans, myself included, it is also seen as an attempt to fundamentally change our American values. We are not a country that discriminates based on how you pray. We are not a nation that turns our back on the innocent victims of terrorism or the allies who have risked their own lives so that American soldiers might live.

President Trump's actions seek to turn us into the kind of authoritarian Nation that we have always stood against. He has promoted this dark vision instead of asserting America's longstanding role as a voice for democracy, for freedom, human rights, the environment, tolerance, and respect for women—values which extend far beyond our shores.

In essence, this selfish and bully-like mentality abandon the values that we hold dear and which have defined our great Nation as a global power.

It should come as no surprise that President Trump's nominees to be our Nation's top diplomats—Nikki Haley, Rex Tillerson—have no diplomatic experience. On Nikki Haley's first day on the job, President Trump announced that he would be cutting funding for the United Nations by 40 percent, and Ambassador Haley announced to the world that the United States is now ''taking names'' of those who disagree with us.

In an attempt to show strength, the Trump administration is actually creating weakness. By stepping away from multinational organizations that we helped establish—organizations like the U.N. and NATO—and by presenting a hostile attitude to other countries and allies, the United States is walking away from its role as the indispensable Nation.

This morning, former CIA Director and retired GEN David Petraeus warned that the global alliances of the United States are at risk, stating:

> Americans should not take the current international order for granted. It did not will itself into existence. We created it.
>
> Likewise, it is not naturally self-sustaining. We have sustained it. If we stop doing so, it will fray and, eventually, collapse.

Just as I am not confident in President Trump's nominee for Ambassador to the United Nations, I am equally concerned, if not more so, about his choice for Secretary of State. During his Senate confirmation hearing, Rex Tillerson, the former CEO of ExxonMobil, demonstrated that he is blatantly unaware of global affairs. He failed to recognize and condemn human rights violations around the world, including in Saudi Arabia and the Philippines, and declared dangerous policy positions without knowing what those policies would actually mean.

In his hearing, Mr. Tillerson repeatedly avoided answering the most rudimentary questions about foreign policy by stating things like ''I'd need more information on that issue.''

For as long as I can remember, throughout grade school and college, women in Saudi Arabia have lacked basic freedoms. Yet Mr. Tillerson either had no knowledge of women's issues in Saudi Arabia or fails to value the importance of that issue, which I believe to be an American value.

The United States faces an increasing number of global threats, including North Korea, Russia, China, Iran, and terrorist organizations across multiple continents. We face evolving threats from nonstate actors and terrorist organizations such as Al Qaeda and the Islamic State. Instability and civil war in the Middle East have led to the greatest global refugee crisis since World War II. Russia and China are acting aggressively to assert their influence and challenge and provoke American interests and allies. Global threats such as pandemic disease, nuclear proliferation, and climate change require international cooperation and responses.

The next Secretary of State will be diving headfirst into all of these incredibly daunting and gravely important foreign policy challenges. Mr. Tillerson's lack of foreign policy experience, combined with a President who promotes an isolationist world view, leaves me deeply concerned for the future of American foreign policy.

The world looks to America to uphold human rights, to promote democratic values, and to take the lead on many challenges we face as an international community. The American people look to the White House and to the State Department to represent our fundamental American values on that international stage. The American people expect their leaders to show that their only interest is in representing the public's best interest.

Americans have reason to doubt where Rex Tillerson's interests rest. His world view has been shaped through the lens of looking out for what is best for his company's profits, not what is best for the American people, not what is best to address complex international challenges. Just like negotiating a real estate deal does not prepare one to lead the Nation, negotiating oil deals does not prepare you to be a diplomat whose primary interest is in advocating for American values.

When Mr. Tillerson has worked with foreign governments to pursue lucrative oil deals and profits, he has been agnostic to human rights and to America's diplomatic and security interests as well. As Exxon's CEO during the Iraq war, Mr. Tillerson undermined the State Department's efforts to keep Iraq cohesive as a nation and instead served the interest of his company's financial gain, in direct conflict to the American interest.

Under Mr. Tillerson's guidance, ExxonMobil signed a deal directly with the Kurdish administration in the country's northern region, a move that fueled Kurdish secessionist ambitions and undercut the legitimacy of Iraq's central government. This deal was drawn despite the State Department's recommendation that they wait until national legislation was passed because a law governing nationwide oil investments was being reviewed by Parliament.

In Russia, Mr. Tillerson worked closely with Vladimir Putin's government to forge deals to drill for oil in the Arctic, the Black Sea, and Siberia. Mr. Tillerson developed such a cozy relationship with the Kremlin that in 2013 he was awarded the Order of Friendship by Vladimir Putin, the highest honor awarded to non-Russians.

After Russia unlawfully invaded the Ukraine and took Crimea, the United States and the European Union enacted sanctions against Russia that Mr. Tillerson would be partly responsible for overseeing as Secretary of State. Right now, when we are trying to hold Russia accountable for its illegal aggression in Eastern Europe, for its war crimes in Aleppo, and for its interference in our own Nation's election, how on Earth can we trust someone with such a cozy relationship with the Putin government to be our Secretary of State?

Mr. Tillerson's record also leads one to wonder how he will address the imperative to implement the Paris climate agreement, especially since President Trump is now exploring how to withdraw from it. At the height of the debate on climate change legislation in Congress, Mr. Tillerson spent tens of millions of dollars to kill a bill that would have reduced our carbon emissions sooner. It has also been reported that his scientists at Exxon have known about the relationship between carbon emissions and climate since the 1980s and that Exxon even made business decisions about what resources to develop and how based on that knowledge. Yet, under Mr. Tillerson's leadership, they chose to withhold those findings and fund

groups determined to sow confusion and doubt. How can we be confident that Mr. Tillerson will help America address the impacts of climate change and put America's security and values first as our top diplomat?

Those conflicts of interest are troubling enough, but the most troubling reason I cannot support Mr. Tillerson's nomination is this: In just the first week and a half of the Trump White House, we have seen numerous cases of Trump nominees saying one thing during their confirmation hearings before this body and then the administration turning around and doing something entirely different. After Secretary Mattis told us that he opposed the Muslim travel ban and Director Pompeo stated his opposition in hearings to torture, we saw this administration move forward with both.

I have seen nothing that shows me that Rex Tillerson will stand up to President Trump's dangerous vision for American foreign policy. What will he do to stand up for NATO? What indication do we have that he will call on the President to act in the interests of the American people and not the interests of President Trump's business holdings in numerous nations around the world?

The Secretary of State sits on the National Security Council. Will Mr. Tillerson stand up to Steve Bannon, President Trump's political strategist who has been outrageously placed on the National Security Council, while, I would add, the Chairman of the Joint Chiefs and the Director of National Intelligence were demoted? President Trump has shown that he trusts the former leader of the far-right Web site Breitbart News more than our leading generals and his appointed leader of the intelligence community. You can already see the influence of Mr. Bannon, who has made a career out of selling hateful and divisive propaganda aimed at women, Hispanics, African Americans, Jews, and other minorities in the actions President Trump has taken in his first days in office.

During his first week in office, President Trump floated the idea of bringing back the CIA's use of ''black site'' prisons and torture techniques, imposed a gag order on our Federal agencies, and renewed talk of a wall on our southern border.

All of this culminated with an Executive order blocking refugees from around the world from entering the United States. This is not greatness. In fact, this is un-American. I will not stand aside as the values that created the greatest Nation on Earth are trampled upon.

This dangerous Executive action has already had a clear human impact. In New Mexico, the Albuquerque Journal reports that our universities have issued an advisory to foreign students and faculty: ''Don't leave the country if you want to come back.'' Think about that.

My office has already heard from New Mexicans who fear for their safety and the safety of their families abroad as a direct result of this order. A man who moved to the United States as a refugee from Iraq and settled in my hometown told me that his wife and two kids went to Baghdad to attend his mother-in-law's funeral. They are currently in Iraq and scheduled to return in February. They are all green card holders. They are part of our community. President Trump's Executive order has left him and his family feeling in limbo. He said: ''I am afraid about our destiny as a family, I am afraid I will lose them.''

The heartbreaking human impact we have already seen is only part of why the Muslim travel ban was such an appalling action for the President to take.

George Washington once said: ''I had always hoped that this land might become a safe & agreeable Asylum to the virtuous & persecuted part of mankind, to whatever nation they might belong.'' It is very clear that President Trump is clearly no George Washington. This Executive order flies in the face of that sentiment and, I believe, the sentiment we share as Americans.

I joined my colleagues in sending a letter to President Trump about this order. I am particularly outraged about the absurd and careless nature of the order, which will have a profound effect on many Iraqi men and women who risked their lives and the lives of their families on behalf of our soldiers, on behalf of American soldiers.

Late last summer, I traveled to Iraq, to Kuwait, to the heart of Africa, and I met with top military officials to discuss operations against ISIL, Al Qaeda, and other terrorist organizations. In order to find a lasting solution in that volatile region, we must take a smart approach that provides training, resources, and support to our regional allies, like the Iraqi security forces, rather than putting tens of thousands of U.S. troops on the frontlines there ourselves. Alienating our regional allies, alienating Muslims as a whole puts all of that at risk.

Former Cabinet Secretaries, senior government officials, diplomats, military servicemembers, and intelligence community professionals who have served in the Bush administration and the Obama administration together have expressed their deep concern this week with President Trump's Executive order. In a letter, they warned:

> This Order not only jeopardizes tens of thousands of lives, it has caused a crisis right here in America and will do long-term damage to our national security.
>
> In the middle of the night, just as we were beginning our nation's commemoration of the Holocaust, dozens of refugees onboard flights to the United States and thousands of visitors were swept up in an Order of unprecedented scope, apparently with little to no oversight or input from national security professionals.

Also this week, the Iraqi Parliament, in direct response to President Trump's Muslim travel ban, voted to implement an identical visa ban on Americans.

How can we possibly think this is in our national security interests?

Rex Tillerson has not answered questions about President Trump's Muslim travel ban. Mr. Tillerson needs to tell us where he stands on this un-American policy. If we are going to move forward on his nomination, Mr. Tillerson needs to reassure the American people and he needs to reassure this body that he understands the repercussions of these kinds of appalling actions. He needs to show us that he will stand up for American values and against the President's dangerous impulses that will isolate our Nation, alienate our allies, and abdicate our role as leader of the free world. Mr. Tillerson has not shown any of that to me, to this body, or to the American public.

Thousands of New Mexicans have flooded my office with letters, emails, and phone calls urging me to oppose his nomination. I share New Mexicans' well-founded concerns about Mr. Tillerson's qualifications to lead the State Department and to stand up for our Nation's interests.

I will not support his nomination, and I urge my colleagues on both sides of the aisle to stop and think carefully about this vote we are about to take. Our Nation's future role in the world is at stake.

Mrs. FEINSTEIN. Madam President, I rise today in opposition to Rex Tillerson's nomination to be our next Secretary of State. I don't believe Mr. Tillerson is an appropriate selection to be our Nation's chief diplomat.

During his confirmation hearing, Mr. Tillerson repeatedly evaded questions related to transparency and corporate responsibility. For instance, on multiple occasions Mr. Tillerson stated that he was unaware of Exxon's history of lobbying Congress; yet, according to lobbying disclosure forms, Exxon lobbied against a variety of Iran and Russia-related sanctions since at least 2010. When pressed on the matter, Mr. Tillerson even claimed he didn't know if Exxon lobbied for or against these energy-related sanctions bills.

Additionally, I am troubled by Mr. Tillerson's response to questions about Exxon's dealings with Iran, Syria, and Sudan. According to public documents, Exxon established a joint venture with Shell to conduct business with state sponsors of terror. That joint venture—Infineum—sold petroleum products to Iran, Sudan, and Syria, when those nations were being sanctioned by the United States.

During that time, Mr. Tillerson rose from senior vice president to president and director and eventually to chairman and CEO of Exxon; yet, during his testimony, Mr. Tillerson claimed to be unaware of Infineum's purposeful evasion of sanctions. Instead of recognizing the larger national interest, Mr. Tillerson suggested that American companies could legally avoid sanctions by setting up shell companies outside of the United States.

Infineum is not the only example of Exxon's history of undermining American policy. Under Mr. Tillerson's leadership, Exxon signed oil exploration contracts with the Kurds in Iraq. Doing so undermined the United States ''one Iraq'' policy and exacerbated the long-simmering conflict between the central government and the Kurds. That is because Exxon signed contracts to explore oil at six sites. Three of those sites were on disputed land claimed by both the Kurds and the Iraqi central government.

By agreeing to explore in disputed territory on behalf of the Kurds, Exxon changed the facts on the ground in favor of the Kurds. Exxon's decision may have been good for Exxon, but it certainly did not benefit a stable, unified Iraq.

I am also concerned by Mr. Tillerson's response to questions about Russia. Russia has invaded Ukraine, annexed Crimea, intervened in Syria, and meddled in our own elections; yet Mr. Tillerson refuses to offer support for international sanctions against Russia.

He refuses to describe Russia's bombing of Syrian hospitals and schools—and a U.N. humanitarian aid convoy—as war crimes.

Russia remains in violation of the Minsk agreement and continues to occupy Crimea, indiscriminately bomb in Syria, and hack American think tanks.

Now is not the time to remove sanctions against Russia, and I have little confidence Mr. Tillerson is committed to pushing back against Russian aggression.

Finally, Mr. Tillerson's indifference to the two-state solution between Israel and the Palestinians is unacceptable. Specifically, Mr. Tillerson said that a two-state solution is a ''dream'' and openly questioned whether or not it could ever become a reality. The reality is that, without a two-state solution, Israel cannot be both a democracy and a majority-Jewish state.

Today Israel is constructing settlements throughout the West Bank. Palestinian terror and incitement continue. Mr. Tillerson's almost casual dismissal of the two-state solution is disqualifying for a Secretary of State. Our chief diplomat must understand the urgency of the situation and must be willing to engage both sides in the pursuit of peace.

I simply do not believe Mr. Tillerson is interested in doing so.

Mr. Tillerson's lack of transparency, history of working against our national interests, close ties to Russia, and indifference to Israel's future make him unfit to serve as the Secretary of State.

I intend to oppose Mr. Tillerson, and I urge my colleagues to do the same.

Mr. VAN HOLLEN. Madam President, my father served in the Foreign Service at the Department of State, so I spent some of my early years overseas. I was proud to be part of a family that represented our great country. I learned firsthand the critical role of our Nation's diplomats, the risks that they take to serve our country, and the part that they play in spreading American ideals of freedom and democracy around the world.

The cabinet position of Secretary of State is as old as our Nation. Thomas Jefferson served as President Washington's Secretary of State. The Secretary is the President's top foreign policy adviser and our Nation's chief representative abroad. Today the State Department reaches across the world, advancing our interests, shaping our relationships, advocating for human rights, and working to advance peace.

In addition, the Secretary of State will encounter a department of employees who are deeply concerned about the role that they will play and the actions that they may be expected to take in service to the new President. Last week, the Washington Post reported that the State Department's entire senior management resigned, including officials who had worked in both Republican and Democratic administrations. This was an unprecedented loss of institutional knowledge.

And by yesterday afternoon, a dissent letter by State Department staff saying that President Trump's executive order to temporarily bar citizens from seven Muslim-majority countries would not make the Nation safer had attracted around 1,000 signatures, far more than any dissent cable in recent years.

President Trump's campaign rhetoric has shaken our allies—wavering on our commitment to NATO, gratuitously escalating arguments with China and Mexico, and empowering an increasingly aggressive Russia. Mr. Trump has made fawning statements about Russian President Vladimir Putin. In October 2007, Mr. Trump said of Putin, ''he's doing a great job.'' In December 2011, Mr. Trump praised Putin's ''intelligence'' and ''no-nonsense way.'' In June 2013, Mr. Trump wondered if Putin would be his ''new best friend.'' And in July 2015, Mr. Trump said, ''I think I'd get along very well with Vladimir Putin.''

And Mr. Trump has questioned the reality of climate change. He tweeted, ''The concept of global warming was created by and for the Chinese in order to make U.S. manufacturing non-competitive.''

The Secretary of State thus must play a crucial role in maintaining relationships between the United States and our allies around the world. In the face of Mr. Trump's statements and actions, the need for a strong Secretary of State is all the more important.

President Trump has nominated Rex Tillerson, the former CEO of ExxonMobil, to take on this critical role. Mr. Tillerson, who has never served in government, has spent many years building business relationships with Russia and Vladimir Putin, and in 2013, even received the Russian Order of Friendship, an award given to foreigners who work to improve relations with Russia.

Mr. Tillerson has had particularly close dealings with Igor Sechin, the head of a state-owned Russian oil company whom the United States has sanctioned and banned from entering the United States.

In 2014, Mr. Tillerson opposed sanctioning Russia for its actions in Ukraine and reportedly lobbied the government against those sanctions. According to Reuters, ''[Tillerson] added that Exxon does not 'generally' support sanctions and has made that view known to the U.S. Government. . . . 'We're having conversations such that our views are being heard at the highest levels.' Tillerson told reporters.'' And yet, in his confirmation hearing, Mr. Tillerson denied that he or Exxon directly lobbied against the sanctions.

Given Russia's interference with U.S. elections and Russia's increased provocation of our allies, we need to be able to rely on our Secretary of State to advance U.S. interests above all. Mr. Tillerson's long and close relationship with Russia casts doubt on his ability and inclination to pursue additional sanctions as necessary and on the quality of advice that he will give the President. And despite the active national conversation about Russia, Mr. Tillerson said in his hearing that he and President Trump had not even discussed Russian policy with any specificity.

I am also concerned that Mr. Tillerson does not seem to view human rights as a critical issue for the State Department. In addition to refusing to condemn Russian and Syrian atrocities as war crimes, he did not condemn Philippine President Duterte's extrajudicial killings. This is particularly disturbing, as President Duterte has alleged that President Trump approves of his actions. Mr. Tillerson appeared hesitant to weigh in on human rights abuses. But the State Department cannot be silent and must be an outspoken voice for human rights, even to our allies.

Mr. Tillerson appears not to appreciate America's role as a beacon of light around the world that stands up for the rule of law and human rights. This is especially troubling, as President Trump's order last Friday to suspend America's refugee programs is an attack on everything for which our country stands. President Trump's order has made us less safe by playing into ISIS's propaganda, casting our fight against terrorism as a fight against an entire religion. That is not who we are as a nation. We must remain vigilant and resolute against efforts to sow fear and division, and we must fight together to protect the rights and freedoms of all people.

President Trump's executive order highlights the need for a Secretary of State who will push back against President Trump's worst impulses. Mr. Tillerson, however, seems ready to do

the opposite and reinforce many of President Trump's worst instincts. Mr. Tillerson's lack of focus on human rights and the rule of law indicate that he seems not to appreciate the role of American in the world—particularly dangerous traits when President Trump is retreating from America's 70-year special role in the world, retreating—in the words of a recent article in The Atlantic—to a pre-1941 world of ''closed borders, limited trade, intolerance to diversity, arms races, and a go-it-alone national race to the bottom.''

Finally, I seriously question Mr. Tillerson's commitment to working with our allies and cosigners of the Paris Climate Agreement to confront one of our greatest global challenges. While at certain points, he has acknowledged the dangers of climate change, he has more recently questioned the science and the human contribution. In his hearing, he acknowledged that climate change does exist and that the United States needed to have a seat at the table, but he failed to express any urgency to respond or a clear commitment to the Paris Agreement.

While Mr. Tillerson may be a skilled business dealmaker, the job of the Secretary of State and the leader of our State Department requires the experience and determination to meet our current challenges. Given his extensive ties to Russia and questionable commitment to advancing human rights and combatting climate change, I do not believe that Mr. Tillerson is the right person for this job, and I will vote against his confirmation.

The PRESIDING OFFICER. The Senator from South Dakota.

NOMINATION OF NEIL GORSUCH

Mr. THUNE. Madam President, last night President Trump announced the nomination of Judge Neil Gorsuch to the Supreme Court. He will fill the spot left vacant by the death of Justice Antonin Scalia.

Justice Scalia left a profound mark on our judicial history. He had a brilliant mind, a ready wit, and a vivid and colorful writing style that made reading his decisions not only illuminating but enjoyable. But most importantly, Antonin Scalia had a profound respect for the rule of law and the Constitution. He knew that he was a judge, not a legislator, and his job was not to make the law but to interpret the law. That is exactly what he did.

For 30 years, Justice Scalia ruled on the plain meaning of the laws and the Constitution. His politics, his personal opinions, his own feelings about a case—none of those was allowed to play a role in his decision. He asked what the law said, what the Constitution said, and he ruled accordingly, even when he didn't like the result. Justice Scalia once said:

> If you are going to be a good and faithful judge, you have to resign yourself to the fact that you're not always going to like the conclusions you reach. If you like them all the time, you are probably doing something wrong.

Needless to say, Justice Scalia left some big shoes to fill. But after learning a little about Judge Gorsuch, I have to say that if anyone can come to fill them, I think Judge Gorsuch can. Like Justice Scalia, Judge Gorsuch has a brilliant mind. He shares Justice Scalia's gift for the written word. The Washington Post noted the many people ''who have praised Gorsuch's lucid and occasionally lyrical writing style.'' Slate called Judge Gorsuch's writing ''superb, incisive, witty, and accessible.''

But most importantly, like Justice Scalia, Judge Gorsuch understands the role of a Supreme Court Justice. He knows that a Justice's job is to interpret the law, not write it. In a speech last year, Judge Gorsuch said the following: ''Perhaps the greatest project of Justice Scalia's career was to remind us of the differences between judges and legislators.''

Understanding those differences is indispensable. Brilliance, eloquence, learning, compassion—none of those things matter if you don't understand the proper role of the Supreme Court. That role is to interpret the law, not make the law—to judge, not legislate; to call balls and strikes, not to try and rewrite the rules of the game.

It is great to have strong opinions. It is great to have sympathy for causes or organizations. It is great to have plans for fixing society's problems. But none of those things has any business influencing your ruling when you sit on the Supreme Court. Judge Gorsuch understands this. That is why I trust him to sit on the Supreme Court.

When Judge Gorsuch was nominated to the Tenth Circuit Court of Appeals 10 years ago, he was confirmed by a unanimous vote here in the Senate. You can't really get a more bipartisan confirmation than that. At the time, then-Senator Ken Salazar, a Colorado Democrat who later became Interior Secretary under Obama, noted that Judge Gorsuch ''has a sense of fairness and impartiality that is a keystone of being a judge.''

Given the wide respect in which Judge Gorsuch is held, his outstanding record, and his previous overwhelmingly bipartisan confirmation, I am hopeful that his nomination will move quickly through the Senate. Senate Democrats have spoken a lot about the need to fill the ninth seat on the Supreme Court. Now is the chance.

I congratulate Judge Gorsuch on his nomination, and I look forward to seeing him confirmed to the Supreme Court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF BETSY DEVOS

Ms. COLLINS. Madam President, I come to the floor to announce a very difficult decision that I have made; that is, to vote against the confirmation of Betsy DeVos to be our Nation's next Secretary of Education. This is not a decision that I have made lightly. I have a great deal of respect for Mrs. DeVos. I believe she is a good person. I know she cares deeply about the children of this Nation. But for the reasons that I will explain, I simply cannot support her confirmation.

Later today, the Senate will vote on a motion to proceed to the DeVos nomination. I will vote to proceed to the nomination because I believe that Presidents are entitled to considerable deference for the selection of Cabinet members, regardless of which political party is in power, and that each and every Senator should have the right to cast his or her vote on nominees for the Cabinet. That is why, during President Obama's administration, I voted for procedural motions, including cloture, to allow the President's nominees for Secretary of Defense and for Secretary of Labor to receive up-or-down votes by the full Senate, even though I ultimately voted against those two nominees on the Senate floor. At the time, I stated that it is appropriate for every Senator to have an opportunity to vote for or against an individual Cabinet member, and I still believe that is the right approach.

Let me again make clear what I said at the beginning of my remarks, which explains why this has been a decision that I have not made lightly. I know that Mrs. DeVos cares deeply about children. I recognize that she has devoted much time and resources to try to improve the education of at-risk children in cities whose public schools have failed them. I commend her for those efforts.

I wrote to Mrs. DeVos, seeking her assurances in writing that she would not support any Federal legislation mandating that States adopt vouchers nor would she condition Federal funding on the presence of voucher programs in States. She has provided that commitment, and I ask unanimous consent that the exchange of correspondence with Mrs. DeVos be printed in the RECORD at the conclusion of my statement.

Nevertheless, like all of us, Mrs. DeVos is the product of her experience. She appears to view education through the lens of her experience in promoting alternatives to public education in Detroit and other cities where she has, no doubt, done valuable work. Her concentration on charter schools and vouchers, however, raises the question about whether she fully appreciates that the Secretary of Education's primary focus must be on helping States and communities, parents, teachers, school board members, and administrators strengthen our public schools.

While it is unrealistic and unfair to expect a nominee to know the details

of all the programs under the jurisdiction of the Department of Education, I am troubled and surprised by Mrs. DeVos's apparent lack of familiarity with the landmark 1975 law, the Individuals with Disabilities Education Act—known as the IDEA—that guarantees a free and appropriate education to children with special needs.

The mission of the Department of Education is broad, but supporting public education is at its core. I am concerned that Mrs. DeVos's lack of experience with public schools will make it difficult for her to fully understand, identify, and assist with those challenges, particularly for our rural schools in States like Maine.

In keeping with my past practice, I will vote today to proceed to debate on Mrs. DeVos's nomination. But I will not, I cannot, vote to confirm her as our Nation's next Secretary of Education.

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

U.S. SENATE,
Washington, DC, January 24, 2017.

Mrs. BETSY DEVOS,
Education Secretary-Designate,
Washington, DC.

DEAR MRS. DEVOS: I am writing to follow up on the questions posed to you in your confirmation hearing regarding your position on school vouchers should you be confirmed as Secretary of Education. I have concerns about the impact of such a voucher program, especially on rural school districts with limited budgets and numbers of students.

The needs of public schools in Maine are very different from those in large urban areas, where some schools have failed our children. The majority of Maine's schools and school districts are small and rural, and the constraints on resources and the realities of distance greatly influence the policies and practices for delivering high-quality education in those settings. The concern I hear in Maine from teachers, administrators, and parents is that school vouchers will divert scarce resources from public schools.

During my time as a U.S. Senator, I have visited more than 200 schools in Maine. At each visit, I have seen repeatedly the skilled and dedicated teachers, administrators, and staff working closely with parents to deliver the best possible education for their students. Likewise, I have spoken with students who are vibrant members of their communities and excited about learning. Our public schools have a tremendous impact on students and communities, and the U.S. Department of Education is an important partner in fulfilling the promise of high-quality public education for all students.

Please respond in writing to the following question: Would you oppose a federal mandate that would require states to adopt private school vouchers? I ask that you respond prior to the Senate Health, Education, Labor, and Pensions Committee mark-up on January 31.

Sincerely,

SUSAN M. COLLINS,
United States Senator.

JANUARY 25, 2017.

Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC.

Dear SENATOR COLLINS: Thank you for the opportunity to answer your question about my position on federal education mandates regarding private school vouchers.

As a strong proponent of local control, I believe the decision of whether to provide vouchers, scholarships, or other public support for students who choose to attend a nonpublic school should not be mandated by the federal government. Rather, this is a state and school district matter.

The Every Student Succeeds Act made great strides in returning control over education decisions to states and local communities, and I applaud your efforts in passing that important law. Decisions about whether to provide parental choice will vary from state to state and district to district, reflecting local needs.

As I stated during my confirmation hearing before the U.S. Senate Health, Education, Labor, and Pensions Committee on January 17, while I am a strong supporter of school choice, I am also respectful of state and local decisions on this issue. Therefore, if confirmed, I will not impose a school choice program on any state or school district.

Senator Collins, I look forward to working with you to support Maine's teachers, schools and districts as they work to provide a high quality education to every student.

Sincerely,

BETSY DEVOS.

Ms. COLLINS. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to speak on the upcoming motion to proceed to the DeVos nomination for a period of 5 minutes.

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

Ms. MURKOWSKI. Mr. President, I would like to share my thoughts with my colleagues today about the President's nominee to be Secretary of Education. I shared many of these thoughts yesterday with my colleagues on the Senate HELP Committee.

Like my colleague from Maine, this nomination has been a very difficult one for me. It has been very personal. As I mentioned in committee, I take very personally the education of the children in my State. I take very personally the contributions that our educators, our administrators in the schools—all that they provide and the importance that we should all place on the education of America's children.

I don't think it is an overstatement to say that I have struggled with how I will cast my vote on the nomination of Mrs. DeVos. Again, I take very personally the success of Alaska's schools and the success of Alaska's schoolchildren. We have a lot of schools in Alaska, as we all do around the country. My schools, I would challenge you all, are a little bit more diverse than perhaps in other parts of America just because of our geography. We are isolated. Eighty-two percent of the communities are not attached by a road. The communities are small. The schools are smaller.

In our urban centers, what some find unusual is we have more diversity in our populations than most people could understand or even imagine. One of the neighborhoods in my hometown of Anchorage hosts the most ethnically diverse schools in the United States of America. So I have urban schools that have rich diversity, and I have very rural, very remote, extremely remote schools that face challenges when it comes to how we deliver education. So knowing that we have the strongest public school system is a priority for me.

I have spent considerable time one-on-one with Mrs. DeVos before and after the committee hearing. I spent the entirety of the Senate HELP Committee listening carefully to the questions that colleagues put to her. Afterward, I reviewed not only her written responses to me but those that she had responded to other colleagues. I requested further that she provide certain commitments in writing. After speaking with her at length and considering everything that I have learned, I have the following comments to share:

First, I must state that I absolutely believe Betsy DeVos cares deeply for all children. I think we all acknowledge that she could have spent her time, her energy, and her considerable resources on almost anything else that she chose to do. I admire her for choosing to help children to access a better education because she could have chosen to do many other things, but she chose to work for children, and I appreciate that.

Now, as Senators, we are in the position to provide advice and consent on the President's nominee. My view has been—and has been since I came to the U.S. Senate—that under almost all circumstances, a President has the right to have their nominees considered and to receive a full vote by the entire Senate.

So I have gone back, and I have looked at how I, as a Senator, have handled confirmations under President Bush and President Obama. When cloture votes have been called on Cabinet nominees, my practice has been to vote aye. I voted aye twice for Secretary of Defense Hagel. I voted aye for Secretary of Labor Perez, even though I voted against his confirmation in the final vote.

So, Mrs. DeVos.

She has answered thousands of questions that have been put to her. Neither the Office of Government Ethics, the Senate HELP Committee, nor I have found any substantive reason to question Mrs. DeVos's name or reputation, but yet I have heard from thousands—truly thousands of Alaskans who share their concerns about Mrs. DeVos as Secretary of Education. They

have contacted me by phone, by email, in person, and their concerns center—as mine do—on Mrs. DeVos's lack of experience with public education and the lack of knowledge she portrayed in her confirmation hearing.

Alaskans are not satisfied that she would uphold Federal civil rights laws in schools that receive Federal funds. They question her commitment to students with disabilities' rights under IDEA. They fear that the voucher programs that are intended to serve them may actually rob them of the opportunity to benefit from an education in an inclusive environment with their nondisabled peers.

After 8 years of the micromanagement that we have seen from this previous administration, quite honestly, they are very concerned that Mrs. DeVos will force vouchers on Alaska. Now, she has said that she has not. She has committed publicly and to me personally that she will not seek to impose vouchers on our States. She has committed to implementing Federal education laws as they are written and intended, and this is a welcome departure from what we had seen with the two previous Secretaries of Education.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent for an additional 1½ minutes.

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

Ms. MURKOWSKI. Thank you, Mr. President.

She has committed that the focus she will give, not only to Alaska but to all States will not undermine, erode, or ignore public schools and that she will, in fact, work to support our public schools. She has committed to me that she will come to Alaska in order to learn from Alaska's educators, our parents, school board members, and our tribal representatives to see for herself the challenges we face.

I still continue to have concerns. I think Mrs. DeVos has much to learn about our Nation's public schools, how they work and the challenges they face.

I have serious concerns about a nominee to be Secretary of Education who has been so involved in one side of the equation—so immersed in the push for vouchers—that she may be unaware of what actually is successful within the public schools and also what is broken and how to fix them.

Betsy DeVos must show us that she truly understands the children of Alaska and across America, both urban and rural, who are not able to access an alternative choice in education, as in so many of my communities. She must show us that she will work to help the struggling public schools that strive to educate children whose parents are unable to drive them across town to get to a better school. That she will not ignore the homeless students whose main worry is finding somewhere safe to sleep and for whom their public school is truly a refuge. And that she will fight for the children whose parents don't even know how to navigate these educational options.

I believe that my colleagues here in the Senate and the many, many they represent have the right to debate these questions, to air their thoughts and concerns and perspectives about this nomination, and again I believe that any President has the right to expect that we do so.

I conclude my remarks to make clear that my colleagues know firmly that I do not intend to vote, on final passage, to support Mrs. DeVos to be Secretary of Education. I thank the chairman of the committee for working with me and with my colleagues on this matter, but I cannot support this nominee.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for 5 minutes.

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

Mr. ALEXANDER. Mr. President, I come to the floor to thank the Senator from Alaska and the Senator from Maine for this reason: They are following a long and venerable tradition in the United States Senate that too many Senators do not follow. They are allowing—despite their final view on the substance of an issue—the full Senate to make a decision on an important issue.

It used to be that a motion to proceed to an issue was routine. It used to be that after a certain period of time, we would cut off the vote so we could have an up-or-down vote, 51, on an important issue.

We have gotten away from that, but Senator COLLINS and Senator MURKOWSKI have been among the most consistent Senators who would say, absent extraordinary circumstances, ''I am going to vote to allow the vote to come to the floor so the full Senate can make its decision,'' and I thank them for that.

Madam President, as to Mrs. DeVos, I ask unanimous consent to have printed in the RECORD, following my remarks, an article about why the Senate should promptly confirm Betsy DeVos as U.S. Education Secretary, which I believe it will do so.

Mrs. DeVos will be an excellent Education Secretary. She has commitment to public education. She has said that. There is no better example of that than her work on the most important reform of public schools in the last 30 years, which is charter schools.

Charter public schools are the fastest growing form of public education to give teachers more freedom and parents more choices, and she has been at the forefront of that public school activity. Second, she has spent her time truly helping to give low-income parents more choices and better schools for their children, but is that a reason not to support her? I would be surprised if any President supported an Education Secretary who didn't support charter schools. I would be surprised if a Republican President nominated an Education Secretary who didn't believe in school choice.

What I especially like about Mrs. DeVos is that she believes in the local school board, instead of the national school board. She has made it clear that there will be no mandates from Washington to adopt Common Core in Arkansas or Tennessee if she is the Education Secretary, there will be no mandate in Washington to evaluate teachers in Washington State this way or that way if she is the Secretary, and there will be no mandate from Washington to have vouchers in Maine or Alaska if she is the Secretary.

She believes in the bill we passed in December of 2015, with 85 votes, that restores to States and classroom teachers and local school boards the responsibility for making decisions about standards, about tests, about how to help improve schools, about how to evaluate teachers. That passed because people were so sick and tired of Washington telling local schools so much about what to do.

She will be that kind of Education Secretary. She will be an excellent Education Secretary. The two Senators have followed a venerable and honorable tradition in the Senate by saying they will vote to allow the full Senate to consider her nomination, and when we do, I am confident she will be confirmed.

There being no objection, the material was ordered to be printed in the RECORD, as follows: [Jan. 24, 2017]

SENATE SHOULD PROMPTLY CONFIRM BETSY DEVOS

(By Sen. Lamar Alexander)

Democrats desperately are searching for a valid reason to oppose Betsy DeVos for U.S. Education Secretary because they don't want Americans to know the real reason for their opposition.

That real reason? She has spent more than three decades helping children from low-income families choose a better school. Specifically, Democrats resent her support for allowing tax dollars to follow children to schools their low-income parents' choose—although wealthy families choose their children's schools every day.

Tax dollars supporting school choice is hardly subversive or new. In 2016, $121 billion in federal Pell Grants and new student loans followed 11 million college students to accredited public, private or religious schools of their choice, whether Notre Dame, Yeshiva, the University of Tennessee or Nashville's auto diesel college. These aid payments are, according to Webster's—''vouchers''—exactly the same form of payments that Mrs. DeVos supports for schools.

America's experience with education vouchers began in 1944 with the GI Bill. As veterans returned from World War II, federal tax dollars followed them to the college of their choice.

Why, then, is an idea that helped produce the Greatest Generation and the world's best colleges such a dangerous idea for our children?

Mrs. DeVos testified that she opposes Washington, D.C., requiring states to adopt vouchers, unlike her critics who delight in a

National School Board imposing their mandates on states, for example, Common Core academic standards.

So, who is in the mainstream here? The GI Bill, Pell Grants, student loans, both Presidents Bush, President Trump, the 25 states that allow parents to choose among public and private schools, Congress with its passage of the Washington, D.C. voucher program, 45 U.S. senators who voted in 2015 to allow states to use existing federal dollars for vouchers, Betsy DeVos—or her senate critics?

The second reason Democrats oppose Mrs. DeVos is that she supports charter schools—public schools with fewer government and union rules so that teachers have more freedom to teach and parents have more freedom to choose the schools. In 1992, Minnesota's Democratic-Farmer-Labor party created a dozen charter schools. Today there are 6,800 in 43 states and the District of Columbia. President Obama's last Education Secretary was a charter school founder. Again, who is in the mainstream? Minnesota's Democratic-Farmer-Labor party, Presidents Bush, Clinton and Obama; the last six U.S. Education Secretaries, the U.S. Congress, 43 states and the District of Columbia, Betsy DeVos—or her senate critics?

Her critics dislike that she is wealthy. Would they be happier if she had spent her money denying children from low-income families choices of schools?

Mrs. DeVos' senate opponents are grasping for straws. We didn't have time to question her, they say, even though she met with each one of them in their offices, and her hearing lasted nearly an hour and a half longer than either of President Obama's education secretaries.

Now she is answering 837 written follow up questions from Democratic committee members—1,397 if you include all the questions within a question. By comparison, Republicans asked President Obama's first education secretary 53 written follow-up questions and his second education secretary 56 written follow-up questions, including questions within a question. In other words, Democrats have asked Mrs. DeVos 25 times as many follow-up questions as Republicans asked of either of President Obama's education secretaries.

Finally, Democrats are throwing around conflict of interest accusations. But Betsy DeVos has signed an agreement with the independent Office of Government Ethics to divest, within 90 days of her confirmation, possible conflicts of interest identified by the ethics office, as every cabinet secretary is required to do. That agreement is on the internet.

Tax returns? Federal law does not require disclosure of tax returns for cabinet members, or for U.S. Senators. Both cabinet members and senators are already required to publish extensive disclosures of their holdings, income and debts. Cabinet members must also sign an agreement with the Office of Government Ethics to eliminate potential conflicts of interest.

One year ago, because I believe presidents should have their cabinet in place in order to govern, I worked to confirm promptly President Obama's nomination of John King to be Education Secretary, even though I disagreed with him.

Even though they disagree with her, Democrats should also promptly confirm Betsy DeVos. Few Americans have done as much to help low-income students have a choice of better schools. She is on the side of our children. Her critics may resent that, but this says more about them than it does about her.

Mr. ALEXANDER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

TRAVEL BAN

Mrs. SHAHEEN. Mr. President, I came to the floor today to join with Senators and people across this country in speaking out against the President's misguided and, I believe, destructive Executive order that has abruptly closed our borders to all refugees as well as citizens from seven Muslim-majority countries.

During the campaign, Candidate Trump called for a ''total and complete shutdown of Muslims entering the United States.'' I had certainly hoped that once in office, he would receive wise and prudent counsel and he would realize that elevating such a Muslim ban to the status of official U.S. policy would have very negative consequences.

Instead, what we have seen is that a small group in the White House acting in secret produced this Executive order. They did so without legal review and even without the knowledge of the Secretary of Homeland Security, the Secretary of Defense, or the nominee to be Secretary of State. As a result, as we all know, we saw a weekend of chaos and confusion—a self-inflicted wound to our national security and to our reputation in the world.

The consequences go far beyond the scenes of disorder that we witnessed in recent days. By singling out Muslim-majority countries and banning their citizens from entry into the United States and by denying entry to all refugees, the President has greatly damaged America's image across the world and, perhaps, worst of all, this Executive order is a gift to ISIS, Al Qaeda, and to every other radical jihadist group. On social media they celebrated the travel ban as a confirmation to their narrative that the United States is at war with Islam and that they are engaged in a clash of civilizations. One ISIS sympathizer praised the Executive order as a ''blessed ban,'' comparing it to what he called ''the blessed invasion'' of Iraq, which inflamed anti-American anger across the Islamic world. This is dangerous because this is a powerful recruitment tool for our enemies.

I am also deeply concerned that this Executive order endangers our troops and our diplomats who are in the field. Today, more than 5,000 American troops are supporting Iraqi troops in the fight to reclaim Mosul and drive ISIS out of Iraq. By discriminating based on religion and nationality, the President's order undermines the local alliances and the trust established by our troops and diplomats in the field. This order is so ill-considered that, as originally drafted, it even barred Iraqi civilians, including translators who provided essential assistance to the U.S. mission.

Just to be clear, this Muslim ban is un-American. It is offensive to our Nation's core values and ideals. The right way forward is not to carve out small exceptions to the Muslim ban. It is to repeal the ban entirely. The President has called for what he has termed ''extreme vetting,'' but the truth is that our vetting procedures are already thorough and rigorous. It takes as long as 24 months for a refugee to make it through the process and come to the United States. The entire screening process takes place outside the United States. So it doesn't pose a threat to people here in America.

In my home State of New Hampshire, the President's Executive order has caused shock and profound concern, especially in our business and academic communities, as well as in our immigrant communities. T.J. Parker is the CEO of PillPack, a company that employs nearly 400 people in Manchester, which is the largest city in New Hampshire. He said on Monday: ''This ban is wrong and goes against our values as a company and as Americans.''

He continued: ''I'm also deeply concerned about any measures that could discourage talented individuals from studying and working in the U.S.''

The Union Leader newspaper reported yesterday that more than 700 refugees who settled in New Hampshire over the past decade are from the seven countries singled out in the Executive order and would have been banned from entry. These immigrants are not Iraqis, Somalis, Sudanese or Syrians. They are proud loyal members of our diverse American family. Many of them have spouses or children still in refugee camps, and they hope to be united with their families. The President's order has now slammed the door on these hopes.

Yesterday the Associated Press in New Hampshire reported on Dr. Omid Moghimi, an internist at New Hampshire Dartmouth-Hitchcock Medical Center. An American citizen, he fell in love with a childhood friend in Iran and married her in Tehran in 2015. Here is the picture of the two of them on their wedding day. After months of vetting for entry to the United States, his wife had an appointment for her visa interview. That appointment was abruptly canceled after the President's Executive order, and Dr. Moghimi worries that this could become permanent. He is now in his first year of a 3-year residency, and he fears he will have to leave the United States in order to live with his wife, who volunteers at daycare centers and an orphanage. Dr. Moghimi told the AP: ''There's no evidence that she is in any way even a miniscule threat, security risk, and there are many, many cases like her out there.''

If this Executive order stays in effect, we lose the opportunity to have Dr. Moghimi practice in the United States and maybe serve a community in New Hampshire, and it has a real impact on their lives. The ill-advised words and actions, including this Executive order, have damaged America's standing in the world and harmed our national security. But the Senate has

an opportunity to send a very different message to our allies and to our enemies across the globe. We can make clear that America's democracy is founded on a system of checks and balances, and that the President doesn't speak for America or make policy all by himself. I urge my Senate colleagues to join with us in supporting legislation to repeal the President's order. We need to send a clear message to the world that America does not support discrimination based on religion. We welcome appropriately vetted refugees from wars and violence, and we respect our Muslim allies, including our friends in Iraq who have sacrificed so much in the fight against ISIS.

In recent days we have seen what happens when America betrays its ideals and its allies. The Senate has a responsibility to reassert those ideals and to reassure our allies. I urge my colleagues to support legislation that Senator FEINSTEIN put forward to repeal the President's Executive order.

Thank you very much. I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise today to speak about the nominee for Secretary of State. I will be brief and to the point.

Mr. Rex Tillerson led his last organization in a lobbying campaign to undermine the national security interests of the United States in favor of Russia, Iran, and corporate profit. Putting narrow corporate interests ahead of America's national security interests is inexcusable for a CEO and disqualifying for a nominee to be our Nation's chief diplomat.

I will vote against Rex Tillerson's nomination for Secretary of State, and I encourage my colleagues to do the same.

Thank you, Mr. President. I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ISAKSON. Mr. President, I yield back the remainder of our time.

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

All postcloture time has expired.

The question is, Will the Senate advise and consent to the Tillerson nomination?

Mr. ISAKSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 36 Ex.]

YEAS—56

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Kennedy	Shelby
Cotton	King	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Enzi	McCain	Warner
Ernst	McConnell	Wicker
Fischer	Moran	Young
Flake	Murkowski	

NAYS—43

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Donnelly	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NOT VOTING—1

Coons

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote on confirmation.

The PRESIDING OFFICER. The question is on the motion to reconsider.

Mr. MCCONNELL. Mr. President, I move to table the motion to reconsider, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table the motion to reconsider the vote on confirmation.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 37 Ex.]

YEAS—55

Alexander	Capito	Cornyn
Barrasso	Cassidy	Cotton
Blunt	Cochran	Crapo
Boozman	Collins	Cruz
Burr	Corker	Daines
Enzi	Kennedy	Rounds
Ernst	King	Rubio
Fischer	Lankford	Sasse
Flake	Lee	Scott
Gardner	Manchin	Shelby
Graham	McCain	Sullivan
Grassley	McConnell	Thune
Hatch	Moran	Tillis
Heitkamp	Murkowski	Toomey
Heller	Paul	Warner
Hoeven	Perdue	Wicker
Inhofe	Portman	Young
Isakson	Risch	
Johnson	Roberts	

NAYS—43

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Donnelly	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NOT VOTING—2

Coons Sessions

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

MOTION TO PROCEED TO LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Alabama (Mr. SESSIONS) and the Senator from North Carolina (Mr. TILLIS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 38 Ex.]

YEAS—53

Alexander	Flake	Moran
Barrasso	Gardner	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Perdue
Burr	Hatch	Portman
Capito	Heitkamp	Risch
Cassidy	Heller	Roberts
Cochran	Hoeven	Rounds
Collins	Inhofe	Rubio
Corker	Isakson	Sasse
Cornyn	Johnson	Scott
Cotton	Kennedy	Shelby
Crapo	King	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Toomey
Enzi	McCain	Wicker
Ernst	McConnell	Young
Fischer	Menendez	

NAYS—44

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Merkley	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Franken	Nelson	

NOT VOTING—3

Coons	Sessions	Tillis

The motion was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

THE JOURNAL

Mr. MCCONNELL. Mr. President, I move that the reading of the Journal be waived.

The PRESIDING OFFICER. The question is, Shall the Journal stand approved to date?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The PRESIDING OFFICER (Mr. JOHNSON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 39 Leg.]

YEAS—54

Alexander	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Gardner	Paul
Boozman	Graham	Perdue
Burr	Grassley	Portman
Capito	Hatch	Risch
Cassidy	Heitkamp	Roberts
Cochran	Heller	Rounds
Collins	Hoeven	Rubio
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Cruz	King	Thune
Daines	Lankford	Tillis
Durbin	Lee	Toomey
Enzi	McCain	Wicker
Ernst	McConnell	Young

NAYS—44

Baldwin	Franken	Merkley
Bennet	Gillibrand	Murphy
Blumenthal	Harris	Murray
Booker	Hassan	Nelson
Brown	Heinrich	Peters
Cantwell	Hirono	Reed
Cardin	Kaine	Sanders
Carper	Klobuchar	Schatz
Casey	Leahy	Schumer
Cortez Masto	Manchin	Shaheen
Donnelly	Markey	Stabenow
Duckworth	McCaskill	Tester
Feinstein	Menendez	
Udall	Warner	Whitehouse
Van Hollen	Warren	Wyden

NOT VOTING—2

Coons	Sessions

The PRESIDING OFFICER. The Journal stands approved to date.

The majority leader.

MOTION TO PROCEED TO EXECUTIVE SESSION

Mr. MCCONNELL. Mr. President, I move that the Senate proceed to executive session to consider Calendar No. 11, Elisabeth DeVos to be Secretary of Education.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—47

Baldwin	Harris	Nelson
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NOT VOTING—1

Coons

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

Mitch McConnell, David Perdue, Johnny Isakson, Tom Cotton, Mike Crapo, James E. Risch, Pat Roberts, Roy Blunt, John Boozman, Lamar Alexander, John Barrasso, Orrin G. Hatch, Jeff Flake, John Cornyn, Shelley Moore Capito, John Thune, Richard Burr.

The PRESIDING OFFICER. The Senator from Missouri.

NOMINATION OF NEIL GORSUCH

Mr. BLUNT. Mr. President, I am proud to have a chance to speak in support of your fellow Coloradan, Neil Gorsuch, President Trump's nominee to be an Associate Justice of the Supreme Court.

Clearly, we all understand this is an important decision and an important institution. The Supreme Court is the only Court specified in the Constitution and often the final arbiter of how the Constitution and the law is to be applied. In the history of the Court, in the history of the country, only 112 individuals have had the honor to serve on the Supreme Court. As we debate the qualifications and qualities of the person who has been nominated, and I hope to see confirmed as the 113th person to serve as an Associate Justice or a Justice on the Court, it is really vital we understand that we have a nominee who has a deep understanding and appreciation of the role of the Court and the role the Court plays in our democracy.

Judge Gorsuch embodies these principles through a lifetime of service, and he has really prepared himself in many unique ways for this moment. He graduated from Columbia University, where he was elected to Phi Beta Kappa and earned his law degree from Harvard Law School. After law school, Judge Gorsuch served as a Supreme Court clerk to two different Justices, Justice Byron White and Justice Anthony Kennedy. It has been pointed out that if Judge Gorsuch is confirmed to serve on the Court, he will be the first person ever to serve with someone for whom he clerked, and hopefully he and Justice Kennedy will have an opportunity to serve together.

After clerking on the Court, he went on to a successful career in private law

practice, spending 10 years litigating a broad range of complex trials and appeals.

In 2004, just in case his Harvard law degree wasn't enough, as a Marshall scholar, he received a doctorate in philosophy from Oxford University.

At every point in his preparation, it has been understood he was at the top of that preparatory activity. He has served his country in the Justice Department, working as the Principal Deputy Associate Attorney General. In 2006, 10 years ago, President George W. Bush nominated him to serve on the Tenth Circuit Court of Appeals. At the time of his nomination, the American Bar Association gave him a unanimous ''well qualified'' rating, the highest rating. The Senate then confirmed his nomination unanimously by a voice vote.

Today I believe the Senate has 11 Democrats serving with us who were part of that unanimous process. In his decade on the Tenth U.S. Circuit Court of Appeals bench, Judge Gorsuch has demonstrated a steadfast commitment to upholding the rule of law and interpreting the Constitution as its authors intended.

I am confident he will continue to adhere to the Constitution, apply the rule of law, and not legislate from the bench. I think he understands, as Justice Scalia did, that the job of a Justice of the Supreme Court is not to decide what the law should be or what the Constitution, in their opinion, should say but decide what the law is and what the Constitution does say.

His keen intellect and devotion to law are very well understood and appreciated throughout the legal profession. He has the integrity, the professional qualifications, and the judicial temperament to serve on the Nation's highest Court.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from earlier this week.

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

[From the Denver Post, Jan. 26, 2017]

TRUMP WOULD DO WELL TO CONSIDER NEIL GORSUCH FOR SUPREME COURT

(By the Editorial Board)

Then-U.S. Sen. Ken Salazar, right, introduces Neil Gorsuch at his nomination hearing to the U.S. Court of Appeals for the 10th Circuit on June 21, 2006. Gorsuch is being considered as a possibly replacement for the late U.S. Supreme Court justice Antonin Scalia.

President Donald Trump is on the verge of making his most enduring appointment to date and we are encouraged by one of the names on his list to replace former Supreme Court Justice Antonin Scalia.

Neil Gorsuch is a federal judge in Denver with Western roots and a reputation for being a brilliant legal mind and talented writer. Those who have followed Gorsuch's career say that from his bench in the U.S. 10th Circuit Court of Appeals he has applied the law fairly and consistently, even issuing provocative challenges to the Supreme Court to consider his rulings.

Liberals who dreamed of a less-conservative Merrick Garland on the court will undoubtedly gasp at a suggestion that Gorsuch would be a good addition to a court that has been shorthanded for more than a year.

Gorsuch is most widely known for ruling in the Hobby Lobby contraception case before it reached the Supreme Court in 2014. His controversial decision was upheld in a 5–4 vote. Gorsuch wrote in the case that those with ''sincerely held religious beliefs'' should not be forced to participate in something ''their religion teaches them to be gravely wrong.''

We disagreed with that ruling, saying the Supreme Court wrongly applied constitutional protections of religious freedom to a corporation that remained owned by a small group of like-minded individuals.

We argued that even closely held corporations—primarily functioning as money-making entities and not religious institutions—shouldn't be able to opt out of the Affordable Care Act mandate that insurance cover contraception by citing First Amendment protections intended for individuals and churches.

But in considering Gorsuch's body of work and reputation—and yes, we like his ties to Colorado as well—we hope Trump gives him the nod.

We are not afraid of a judge who strictly interprets the Constitution based solely on the language and intent of our nation's founders, as long as he is willing to be consistent even when those rulings conflict with his own beliefs.

As Denver Attorney Jason Dunn, who considers himself a longtime fan of Gorsuch, explains, his views stem ''from a belief in a separation of powers and in a judicial modesty that it is not in the role of the courts to make law. Justice Scalia would put it: If you like every one of your rulings, you're probably doing it wrong.''

A justice who does his best to interpret the Constitution or statute and apply the law of the land without prejudice could go fair to restore faith in the highest court of the land. That faith has wavered under the manufactured and false rhetoric from critics that the high court has become a corrupt body stacked with liberals. And while Democrats will surely be tempted to criticize the nomination of anyone Trump appoints, they'd be wise to take the high road and look at qualifications and legal consistency rather than political leanings.

Gorsuch, at 49, will have years to whittle away at that damaging lack of trust. A July 2016 Gallup Poll found that 52 percent of Americans disapproved of the way the Supreme Court handled its job. The finding is striking, considering the same poll in 2000 found only 29 percent of Americans disapproved.

We could do far worse than a thoughtful graduate from Columbia, Harvard and Oxford universities, who clerked for two Supreme Court justices and calls Denver home.

Mr. BLUNT. I wish to share a little of that editorial where the Denver Post says:

> We are not afraid of a judge who strictly interprets the Constitution based solely on the language and intent of our nation's founders, as long as he is willing to be consistent even when those rulings conflict with his own beliefs.
>
> As Denver Attorney Jason Dunn, who considers himself a longtime fan of Gorsuch, explains, his views stem ''from a belief in a separation of powers and in a judicial modesty that it is not in the role of the courts to make law. Justice Scalia would put it: If you like every one of your rulings, you're probably doing it wrong.''

That is similar to what you and I heard Judge Gorsuch say last night; that a good judge doesn't rule based on what a judge likes to have happen but what the law and the Constitution insists does happen.

Going back and continuing just one more paragraph from that Denver Post editorial:

> A Justice who does his best to interpret the Constitution or statute and apply the law of the land without prejudice could go far to restore the faith in the highest court of the land. That faith has wavered under the manufactured and false rhetoric from critics that the high court has become a corrupt body stacked with liberals. And while Democrats will surely be tempted to criticize the nomination of anyone Trump appoints, they'd be wise to take the high road and look at qualifications and legal consistency rather than political leanings.

That is in the middle of that editorial that is now in the RECORD.

The Supreme Court is one of the most important legacies this President is likely to leave. I think he made a very well-considered and right choice in selecting Judge Gorsuch to begin shaping the long-term view of the Court. I look forward to hearing more from the judge as this confirmation process moves forward and to seeing him confirmed as an Associate Justice of the Supreme Court.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, we began public hearings on the Supreme Court nominees in 1916. Since we began those, the Senate has never denied a hearing or a vote to a pending Supreme Court nominee—never, since 1916 until last year.

Last year Senate Republicans waged an unprecedented blockade against the nomination of Chief Judge Merrick Garland, a fine judge with impeccable credentials and with strong support from both Republicans and Democrats, a man who should be on the Supreme Court today. This is the first time since 1916 that had ever been done. Instead, bowing to the extreme right of their party, Republicans who knew him and who even had said publicly before how much they respected him and how he should be on the Supreme Court refused even to meet with him, let alone accord him the respect of a confirmation hearing—even though the Constitution says that we shall advise and consent and even though each one of us has raised our hand in a solemn oath saying we will uphold the Constitution.

So this is exactly what happened. The Republicans held hostage a vacancy on the Supreme Court for a year so that their candidate for President could choose a nominee. The blockade of the Merrick Garland nomination was shameful, but I think it is also corrosive for our system of government. Candidate Donald Trump, who verbally attacked a sitting Federal judge in what Speaker RYAN called ''a textbook example of a racist comment,'' encouraged Senate Republicans to ''delay, delay, delay.'' Candidate Trump then went further. He said he would

outsource the vetting of potential nominees to far-right organizations, many of them lobbying organizations, that want to stack the judiciary with ideological conservatives who are outside the mainstream. He promised a nominee who would overturn 40 years of jurisprudence established in Roe v. Wade. With the selection of Judge Gorsuch, it appears as though he is trying to make good on that promise.

When we confirmed Judge Gorsuch for the Tenth Circuit Court of Appeals—and I was a Member of the Senate at the time—I knew he was conservative, but I did not do anything to block him because I hoped he would not impose his personal beliefs from the bench. In fact, at his confirmation hearing in 2006, Judge Gorsuch stated that ''precedent is to be respected and honored.'' He said it is ''unacceptable'' for a judge to try to impose ''his own personal views, his politics, [or] his personal preferences.'' Yet, just last year, he tried to do that. He called for important precedent to be overturned because it did not align with his personal philosophy.

From my initial review of his record, that I have just begun, I question whether Judge Gorsuch meets the high standard set by Merrick Garland, whose decisions everybody would agree were squarely within the mainstream. And with the ideological litmus test that President Trump has applied in making this selection, the American people are justified to wonder whether Judge Gorsuch can truly be an independent Justice. So I intend to ask him about these and other important issues in the coming months.

Republicans rolled the dice last year. They subjected the Supreme Court and the American people to a purely political gamble. They ignored the Constitution and did something that had never been done before in this country.

I know President Trump likes to boast that he won the election in a massive landslide. Well, of course he didn't. Secretary Clinton received more than 2.8 million more votes from the American people than President Trump. But more importantly, due to Senate Republicans' political gambit, the U.S. Supreme Court clearly lost in this election. This is really no way to treat a coequal branch of government, and it is certainly not the way to protect the independence of our Federal judiciary—something that is the bedrock of our Constitution.

The President's electoral college victory—which was far narrower than either of President Obama's victories—is hardly a mandate for any Supreme Court nominee who would turn back the clock on the rights of women, LGBT Americans, or minorities; or a nominee who would use theories last seen in the 1930s to undermine all we have accomplished in the last 80 years. If he follows these right-wing lobbying groups who helped vet him for the President, if he follows what they want, then critical programs, like Social Security and Medicare and Medicaid, key statutes, including the Civil Rights Act, the Voting Rights Act, and the Clean Air Act, could well be at risk.

So after nearly a year of obstruction—unconstitutional, unprecedented obstruction—I really don't want to hear Republicans say we now must rush to confirm Judge Gorsuch. I know the President thinks they should, but I also wonder how seriously even he takes this. His announcement yesterday was like he was announcing the winner of a game show: I brought in these two people, and now here is the winner. We are talking about the U.S. Supreme Court; treat it with the respect it deserves.

For all of the Republican talk of Democrats setting the standard with the confirmations of Justice Sotomayor and Kagan, they ignored the standard they set in the shameful treatment of Chief Judge Garland. In fact, I remember when—and I was chairman at the time—when we set the schedule for the hearings and the vote on Justice Sonia Sotomayor, and I remember the Republican leader rushing to the floor and saying: Oh, this is terrible. You are rushing it. You are moving it so fast.

I pointed out that we were setting the schedule to the day—to the day—the same as we set for Chief Justice John Roberts. So I asked the obvious question: Are you telling me the schedule was OK for him but not OK for her? We followed the schedule.

We need time to look at all of these nominees.

I would note, as one who has tried cases in Federal courts, as a lawyer, and as one who has chaired the Judiciary Committee, I would say the courts are a vital check on any administration, especially one that, like this one, has found itself on the losing side of an argument in Federal court in only its first week—they lost on something that a first-year law student could have told them they were going to lose. But with great political fanfare, the President issued an order. Fortunately, the order was seen for what it was: No Muslims need show up in our country.

Judge Gorsuch, to be confirmed, has to show that he is willing to uphold the Constitution even against President Trump, even against the lobbying groups the President had vetting him.

His record includes a decade on the Federal bench. The Judiciary Committee must now carefully review his decisions. We have to conduct a thorough and unsparing examination of his nomination. That is what I will do, just as I have done for every nominee—everybody currently on the Supreme Court and many before them. Whether nominated by a Republican or a Democrat, I did a thorough and unsparing examination of their nomination. The Senate deserves nothing less. More importantly, the American people deserve nothing less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

TRAVEL BAN

Mr. KAINE. Mr. President, I rise to speak on a special day. Today is my wife's birthday. Today is National Freedom Day, when we recognize President Lincoln's signing the 13th Amendment banning slavery. This is the reason we celebrate Black History Month in February.

Today, February 1, begins American Heart Month, acknowledging the great heart of the American people, as well as the need for health care.

But today, February 1, is also the first day of World Interfaith Harmony Week. In 2010, King Abdallah II of Jordan spoke before the U.N. General Assembly, and he asked the U.N. to declare a week every year to promote understanding and tolerance between the world's religions. In his speech before the U.N., this is what King Abdallah said:

> It is also essential to resist forces of division that spread misunderstanding and mistrust, especially among peoples of different religions. The fact is, humanity everywhere is bound together, not only by mutual interests, but by shared commandments to love God and neighbor, to love the good and neighbor. What we are proposing is a special week, during which the world's people, in their own places of worship, could express the teachings of their own faith about tolerance, respect for others and peace.

The resolution was adopted unanimously at the U.N. General Assembly, and all nations, religions, and peoples were asked to observe it.

By happy coincidence, as the Presiding Officer knows, King Abdallah is in Washington right now. He visited with Senators here at the Capitol yesterday and today. Earlier today I met with him, and I told him I would speak in his honor in the hopes that his words might inspire us at a challenging time.

The word of last Friday's Executive orders regarding immigration and refugees—orders which implemented the President's campaign rhetoric to implement a Muslim ban—shocked the country this weekend. I traveled to Roanoke and Blacksburg, VA—communities in the southwestern portion of my Commonwealth. I was there to meet with local health care providers and students pursuing health care careers. I had planned the trip to go talk about the Affordable Care Act, but at my first event, two families came to me with a concern. Working together with Roanoke Catholic charities, they had helped settle a Syrian refugee family in Blacksburg 1 year ago. The Syrian family was a mom and dad and four kids. These sponsors told me how well the family was doing and how welcoming this community was in bringing this family to Virginia and taking them in.

The employer of the Syrian father runs a construction company, and he hired him to do construction work. He told me, kind of chuckling about it: Senator, not all my workers agree with me on politics, but no one better say a

bad word about their Syrian coworker around them.

He went on to describe how the employees at his construction firm had done a number of things, including collecting funds to help the children have soccer shoes there, in Southwest Virginia. But they didn't tell me this story because it is a happy story about resettlement of a family, although that is a point of the story.

Here is why they came to see me. The community was poised to welcome a second family from Syria—a mother, father, and five minor children—to meet them at the Roanoke airport tomorrow and help them find a home in the United States. This refugee family they were supposed to meet tomorrow fled Syria 4 years ago. They had been living in a refugee camp in Jordan, undergoing 4 years of vetting in the hopes they could come to America. Now, their sponsors pressed papers into my hand and said: What will happen to this family? Are they now shut out of the dream they have worked so hard to achieve? Are we now shut out from our desire to offer them the Christian hospitality of our community?

We have been working to get answers to these questions, but as of today, we know nothing about this family's fate.

There are so many questions I struggle to answer in the aftermath of these orders. The orders single out people based on their Muslim faith by targeting primarily Muslim nations and allowing exceptions to be made for Christians and other religious minorities. Why?

The orders single out seven countries—countries where citizens have been exposed to genocide and other crimes against humanity—while leaving countries that have actually exported terrorists to the United States untouched. Why?

The order was applied to legal permanent residents of the United States until clarified and also to brave people who had helped American soldiers on the battlefield, thereby earning a special immigrant visa status. Why?

We can have security procedures that are based on the danger of an individual rather than a stereotype about where they were born or how they worship.

I am called to reflect on these events by King Abdallah's words suggesting that the world should recognize this week as World Interfaith Harmony Week. He told us today that the order is being viewed with deep anxiety in his country, which is one of our strongest allies in the Arab world—indeed, in the entire world. I am called to reflect on these events by my own citizens in Roanoke and Blacksburg, working with a church group, who just want to serve others in a way commanded by their faith and by all faiths.

At the Presiding Officer's desk, there is a book of the rules of the Senate and there is also a Bible. In a week where all are called to reflect upon their own religious traditions of tolerance and peace, there is wisdom in that Book for our Nation.

Exodus 22:21: ''You shall not wrong or oppress an alien, for you were aliens in the land of Egypt.''

Leviticus 19:34: ''The alien who resides with you shall be to you as a citizen among you; you shall love the alien as yourself for you were aliens in the land of Egypt.

Deuteronomy 1:16: ''Give the members of your community a fair hearing and judge rightly between one person and another whether citizen or resident alien.''

Deuteronomy 10:18–19: ''For the Lord your God loves the strangers, providing them with food and clothing. You shall also love the stranger for you were strangers in the land of Egypt.''

Deuteronomy 24:17: ''You shall not deprive a resident alien or an orphan of justice.''

Deuteronomy 26:5: ''A wandering Aramaean was my ancestor, he went down into Egypt and lived there as an alien.''

Matthew 2:13–23: Jesus began his life as a refugee in Egypt.

Matthew 25:34: ''I was hungry and you fed me. I was thirsty and you gave me drink. I was a stranger and you invited me into your home.''

The traditions of this nation, other nations, religions, and peoples point us in the same direction. Pope Francis reminded us of these very words when he spoke to us in the fall of 2015 and told us—as individual leaders and as a nation—that the yardstick we use to measure and evaluate others is the yardstick that will be applied to us.

On this opening day of World Interfaith Harmony Week, I pray that we commit to peaceful understanding and appreciation of people from diverse faith backgrounds. I pray that the unjust immigration orders that target suffering people based on where they were born or how they worship will be rescinded. I pray that Congress and the administration will work together to set up appropriate security procedures that do not discriminate on the grounds of religion or national origin, and I pray that we will be true to our best principles and not sacrifice them for the sake of politics.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Colorado.

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, as I stated repeatedly before the Presidential election of this past year, we stood, and continue to stand, at a very pivotal time in our Nation's history.

After 8 years of using the judicial and regulatory systems to push through its legislative agenda, the balance of power had shifted from what our Founders intended. Our Founders intended the Congress to make the laws and write the laws, the executive branch to implement the laws, and the judiciary to be guardians of the Constitution, not to make the laws.

That is why we said that the next President of the United States, whether they be Democrat or Republican, would have the opportunity to fill the vacancy on the Supreme Court, following the Biden rule—the edict that there wouldn't be a confirmation hearing for a Supreme Court nominee until after that year's Presidential election—to allow the American people to make their decision, giving the American people a say in the direction of this country for years to come. In return, they have given us this nominee.

It is with great pride that I rise today to talk about the nominee today—a fellow Coloradan, Judge Neil Gorsuch, President Trump's nominee to the Supreme Court. Judge Gorsuch comes to the Court with that unique western perspective that the Presiding Officer and I share. Our States of Utah and Colorado obviously like to see that western perspective shared at the Tenth Circuit Court, where it is housed in the West, but at every level of our courts and to the Supreme Court—adding to Justice Kennedy's background and to others who share that same perspective and history in the Supreme Court.

Born in Denver, Judge Gorsuch is a fourth-generation Coloradan, coming from a long line of individuals who have dedicated their life to service not only to the State of Colorado but to the Nation. His mother, Ann Gorsuch, served in the Colorado House of Representatives and, during the Reagan administration, she was the first female Administrator of the Environmental Protection Agency. His grandfather, John Gorsuch, founded one of Denver's largest law firms, Gorsuch Kirgis, where both he and Neil's father, Dave, practiced throughout the firm's successful 60-year-old history. His stepfather, Robert Buford, was a former speaker of the Colorado House of Representatives who went on to become the head of the Bureau of Land Management.

Judge Gorsuch is also one of our country's brightest legal minds, with a sterling reputation, and significant experience as a Federal judge and a private litigator. He has impeccable academic credentials and is a widely respected legal scholar. He received his bachelor's degree from Columbia University, graduated from Harvard Law School, and was a Marshall scholar at Oxford University, where he obtained a doctorate in legal philosophy.

Of course, I cannot forget the summer he spent at the University of Colorado as well. Judge Gorsuch clerked for two Supreme Court justices—Byron White, a Colorado native as well. In fact, in his comments last night after the announcement of his nomination, Judge Gorsuch mentioned that he worked for the only Coloradan to serve on the Supreme Court and also the only leading rusher in the NFL to ever serve on the Supreme Court.

He also clerked for Justice Anthony Kennedy, as well as for Judge David Sentelle on the U.S. Court of Appeals for the DC Circuit. Following his clerkships, Judge Gorsuch went into private

practice, eventually rising to the rank of partner in the elite litigation law firm of Kellogg Huber, leaving practice in 2005 to serve as a high-ranking official in the Bush administration Justice Department. A year later, President George W. Bush nominated Gorsuch to serve on the Tenth Circuit Court of Appeals, a position for which he was confirmed by a unanimous vote. I think it is very telling that not only was he confirmed by a unanimous vote, but roughly 11 or 12 members of the Democratic conference were there to vote for Judge Gorsuch. There are people serving today who voted for Judge Gorsuch. I believe SCOTUSblog recently reported that when Judge Gorsuch was nominated to the Tenth Circuit Court, then, Neil Gorsuch's confirmation hearing was sparsely attended. I believe it mentioned that only a few people attended. I think Senator LINDSEY GRAHAM, our colleague from South Carolina, was one of the Senators to attend his confirmation hearing. I believe Senator LEAHY, our colleague from Vermont, submitted questions for the record. But as SCOTUSblog cited, very few people attended his confirmation hearing because of the high caliber and high quality of the nomination. He was introduced by my predecessor from Colorado, Ken Salazar, and was praised from Senator Salazar's perspective for being impartial, fair, and the having the kind of temperament that we need in the circuit court.

Judge Gorsuch is an ardent faithful defender of the Constitution and has the appropriate temperament, as then-Senator Salazar noted, to serve on the Nation's highest Court. Of course, he was then talking about the Tenth Circuit Court. Judge Gorsuch recognizes that the judiciary isn't the place for social or constitutional experimentation, and efforts to engage in such experimentation delegitimizes the Court. He has said:

> This overweening addiction to the courtroom as the place to debate social policy is bad for the country and bad for the judiciary. . . . As a society, we lose the benefit of the give-and-take of the political process and the flexibility of social experimentation that only the elected branches can provide.

Here we see his understanding that certain debates are to take place where debate is held by those elected directly by the people—in the Congress.

Judge Gorsuch believes in the separation of powers as established by our Founding Fathers in the Constitution. As he rightly stated, ''a firm and independent judiciary is critical to a well-functioning democracy,'' understanding the value of three branches of government, the value of an independent judiciary, understanding that there are certain things dedicated exclusively to the judiciary, to the legislative branch, and to the executive.

Judge Gorsuch is not an ideologue. He is a mainstream jurist who follows the law as written and doesn't try to supplant it with his personal policy preferences. He said: ''Personal politics or policy preferences have no useful role in judging; regular and healthy doses of self-skepticism and humility about one's own abilities and conclusions always do.''

Judge Gorsuch understands the advantage of democratic institutions and the special authority and legitimacy that come from the consent of the government. He said: ''Judges must allow the elected branches of government to flourish and citizens, through their elected representatives, to make laws appropriate to the facts and circumstances of the day.''

Judge Gorsuch appreciates the rule of law and respects the considered judgment of those who came before him. He said:

> Precedent is to be respected and honored. It is not something to be diminished or demeaned.

This morning, I had the opportunity to meet with Judge Gorsuch—of course, knowing him from Colorado and the town of Boulder, where he lives today, and also where I received my law degree. We spent a lot of time talking about our favorite passions in Colorado, whether it is fly-fishing, whether it is paddle-boarding. Of course, he spends a lot of time out on the Boulder Reservoir, enjoying recreation—just like every other person in Boulder does and every other person in Colorado does—as somebody who understands the great outdoors. We talked about the rule of law. We talked about the separation of powers, his concern over originalism and textualism, and following in the footsteps of other great Justices on the Supreme Court.

We talked about something he said last night when his name was put forward for nomination by President Trump. We talked about a statement he made to this effect: If a judge likes every opinion that they have written, every decision that they have reached, they are probably a bad judge. I think this goes to his insistence that, as a judge, you must put your personal beliefs, your personal policies aside to rule as the rule of law requires and to rule as the Constitution and the statutes require.

We discussed in our meeting decisions he made of which he didn't like the outcome but believed that the rule of law required a certain outcome—whether it was a felon who possessed a handgun or whether the Federal Government had misspoken to the accused and he believed that the government had done the accused wrong.

While Judge Gorsuch personally believed that perhaps he would have liked to have found a guilty decision or agreed with a guilty decision, he couldn't do it because of the standards that were applied in the case—the grammatical gravity that had to be ignored in order to reach the conclusion the lower court had reached.

His ability to put personal opinions aside, I think, is what makes him an ideal candidate for the U.S. Supreme Court. Over the coming days and months, we are going to have many opportunities to talk about the qualities of Judge Gorsuch, but we have already heard many people complain that perhaps they didn't pay enough attention to Judge Gorsuch 10 years ago. They talked about their concern, this newfound concern that was not available—that apparently wasn't there 10 years ago when this Senate unanimously supported Judge Gorsuch.

I have even heard complaints that they didn't like the way that his nomination was announced—a complaint about how the President announced the nomination. Those are the kinds of concerns we are hearing about Judge Gorsuch today because they didn't like the way he was announced.

We are going to have a lot of opportunity to talk about his temperament, those things he believes are important as a judge, those things he believes are important to make decisions. I look forward to having a conversation about what I believe is a brilliant legal mind—someone of a brilliant legal mind, someone with a sterling reputation, someone who has been known as a feeder judge of clerks to the highest Court in the land, someone who rules on the law and not on his personal beliefs, someone who believes in the Constitution and not in the role of legislator from the bench.

I am grateful I had this opportunity to support a Coloradan, a man of the West, to Nation's highest Court, and I look forward to working to place Judge Gorsuch as Associate Justice to the U.S. Supreme Court.

Mr. President, I yield back my time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, we are in the second week of the Trump Presidency, and it is pretty clear that something is happening in our country. All across the Nation, Americans in quiet towns and boisterous cities are taking to the streets to fight for American values. They are protesting in the streets and calling their Representatives. They are getting involved in local organizations, and they are organizing around the causes they support.

We know that American values are threatened when the President issues an order banning immigrants from the country based on their religion. We know that American values are threatened when politicians try to break apart a health care system that has extended medical benefits to millions of Americans, and we know that American values are threatened when a President tries to stack his government with billionaires and insiders who have a history of grinding working people into the dirt.

Yesterday something happened that is a threat to our American values. President Trump nominated Judge Neil Gorsuch to serve on the Supreme Court. For years now, I have repeated this warning: America's promise of equal justice under the law is in danger. Over the last three decades, as the

rich have grown richer and middle-class families have struggled, the scales of justice have also tilted, tilted in favor of the wealthy and the powerful.

This is not an accident. It is part of a deliberate strategy to turn our courts into one more rigged game for folks at the top, and its effects have been devastating. Recent court decisions have protected giant businesses from accountability, made it harder for people who have been injured or cheated to get a hearing, gutted longstanding laws protecting consumers who have been swindled, and unleashed a flood of secret money into our politics that is rapidly tilting the entire government in favor of the wealthy.

Billionaires and corporate giants have launched a full-scale attack on fair-minded, mainstream judges. It has happened at every level of our judiciary, but the best example was the unprecedented blockade of Judge Merrick Garland's nomination to the Supreme Court. Judge Garland was an obvious consensus nominee and a straight shooter who followed the law. Why block him? The problem was that Judge Garland's career didn't reflect a sufficient willingness to bend the law to suit the needs of the rich and powerful. And for that sin, far-right groups, financed by Big Business interests, spent millions of dollars attacking him, to torpedo his nomination and keep that seat open.

They did something else that is even more damaging: Far-right groups also drew up a list of ''acceptable'' Supreme Court nominees, people who demonstrated they were sympathetic to the rich and the powerful. Judge Neil Gorsuch made the cut, and his nomination is their reward.

Judge Gorsuch is intelligent and accomplished. He is polite, respectful, and articulate. Make no mistake, his professional record, which I have reviewed in detail, clearly and consistently favors the interests of big corporations over workers, big corporations over consumers, and big corporations over pretty much anybody else.

Let's not mince words. The nomination of Judge Gorsuch is a huge gift to the giant corporations and wealthy individuals who have stolen a Supreme Court seat in order to make sure that the justice system works for them. What I am saying shouldn't be controversial. They haven't made a secret of what they were doing. This is exactly why Judge Gorsuch has been on their list for 4 months. He is the payoff for their multimillion-dollar investment.

Throughout his professional career, Judge Gorsuch has shown a truly remarkable insensitivity to the struggles of working Americans and an eagerness to side with businesses that break the rules over workers who are seeking justice.

Even before he became a judge, Judge Gorsuch famously argued in favor of limiting the ability of investors and shareholders to bring lawsuits when companies commit fraud, whining about how annoying it is for billionaire corporations to have to face their investors when they cheat them.

As a judge for more than a decade, he has twisted himself into a pretzel to make sure that the rules favor giant companies over workers and individual Americans. Let me just count some of the ways. He has sided with employers who deny wages, employers who improperly fire workers, employers who retaliate against whistleblowers for misconduct. He has sided with employers who denied retirement benefits to their workers. He has sided with big insurance companies against disabled workers who were denied benefits. He has ruled against workers in all kinds of discrimination cases. He has even argued that the rights of corporations outweigh the rights of the people working for them, for example, allowing businesses to assert religious beliefs so they can limit their employees' access to health care.

Listen to that one again. He thinks that a company can assert a religious belief and decide whether female employees get access to birth control. Let's be clear. That means a lot of employees will be living at the whim of their employers.

Judge Gorsuch has written dismissively about lawsuits to vindicate the rights of vulnerable people. Equal marriage? Assisted suicide? Keep those issues out of his courtroom.

He is willing to open the doors wide when big corporations show up in his court to challenge health and safety rules they don't like or regulations to prevent them from polluting our air and water, poisoning our food, undermining our public safety, or just plain cheating people. When that happens, Judge Gorsuch is ready to go, to override the rules with his own views. On that score, he is even more extreme than Justice Scalia.

This is exactly the type of Supreme Court Justice that giant corporations want, but they have never been quite so brazen about it. Spending millions to slime a consensus straight shooter nominee like Merrick Garland and steal a Supreme Court seat, then drawing up a public list of ''acceptable'' alternatives and handing it over to a billionaire President so he can do his buddies a favor. That is bold. That is bold, and that is not how America is supposed to work.

Our courts are supposed to be neutral arbiters, dispensing justice based on the facts and the law, not people chosen to advance the interests of those at the top.

Let's be clear. This fundamental principle might be more important today than it has ever been in modern history. Every day our new President finds more ways to demonstrate his hostility for an independent judiciary, for a civil society, and for the rule of law. That is precisely the reason that our Constitution gives us a neutral, independent judiciary. We don't need Justices who have been handpicked for their willingness to kowtow to those with money, power, and influence. We need Justices who will stand up to those with money, power, and influence.

Judge Gorsuch may occasionally write in vague terms about the importance of the independent courts. Today, right now, that simply is not good enough. Now, more than ever, the United States needs a Supreme Court that puts the law first every single time. That means Justices with a proven record of standing up for the rights of all Americans—civil rights, women's rights, LGBTQ rights, and all the protections guaranteed by our laws.

We cannot stand down when American values and constitutional principles are attacked. We cannot stand down when the President of the United States hands our highest Court over to the highest bidder, and that is why I will oppose Judge Gorsuch's nomination.

Mr. President, I yield.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HATCH. Mr. President, I rise today in support of the nomination of Judge Neil M. Gorsuch to serve as the next Associate Justice of the Supreme Court of the United States. Judge Gorsuch has been nominated to fill the seat left vacant by the late Justice Antonin Scalia.

Justice Scalia was a dear friend of mine, and his death was a great loss to me and to our country, not just to me personally but for the whole Nation. Justice Scalia joined the Supreme Court after years of unbridled activism by the Court, during which time Justices imposed their own left-wing views—completely unmoored from the law as written—on the American people.

In response, he led a much needed revolution based on the enduring principle that the role of a judge is to say what the law is, not what a judge wishes it were. As the intellectual architect of the effort to restore the judiciary to its proper role under the Constitution, Justice Scalia was a singularly influential jurist.

To say that he leaves big shoes to fill is an understatement. Any worthy successor to his legacy will not only be committed to continuing his life's work but also capable of delivering the sort of intellectual firepower and leadership that Justice Scalia provided for decades.

Of all the potential candidates for this position, this vacancy, Neil Gorsuch stands out as the jurist best positioned to fill this role. His resume

can only be described as stellar: Columbia University, a Marshall Scholarship to study at Oxford, Harvard Law School, clerkships for Judge Sentelle on the DC Circuit and for Justices White and Kennedy on the Supreme Court, a distinguished career in private practice and at the Department of Justice, and more than a decade of service on the U.S. Court of Appeals for the Tenth Circuit.

Even among his many talented colleagues on the Federal bench, his opinions consistently stand out for their clarity, thoughtfulness, and airtight reasoning. In the words of one of his colleagues appointed by President Carter, Judge Gorsuch ''writes opinions in a unique style that has more verve and vitality than any other judge I study on a regular basis.'' He continued: ''Judge Gorsuch listens well and decides justly. His dissents are instructive rather than vitriolic. In sum, I think he is an excellent judicial craftsman.''

This view of Judge Gorsuch's capabilities is broadly shared across a wide swath of legal observers. Consider some other descriptions of his qualifications from outlets that could hardly be considered conservative. The New York Times reported on his ''credentials and erudition.'' The Los Angeles Times called him a ''highly regarded . . . jurist,'' and ABC News described how ''in legal circles, he's considered a gifted writer.''

I think there can be no doubt that Judge Gorsuch has the credentials to make him a capable and effective member of the U.S. Supreme Court. Nevertheless, I have long held that a nominee's resume alone—no matter how sterling—should not be considered sufficient evidence to merit confirmation to the Supreme Court. Rather, we should also consider a nominee's judicial philosophy. In this analysis, Judge Gorsuch has developed a record that should command ironclad confidence in his understanding of the proper role of a judge under the Constitution.

Judge Gorsuch's opinions and writings show a clear fidelity to a judge's proper role. While his body of work is replete with examples of this fidelity, I want to point to one example in particular, a lecture he delivered last year in the wake of Justice Scalia's death that is one of the most thoughtful and persuasive cases for the proper role of a judge that I have ever read. In it, he affirmed his allegiance to the traditional account of the judicial role championed by Justice Scalia, which he described as such:

> The great project of Justice Scalia's career was to remind us of the differences between judges and legislators. To remind us that legislators may appeal to their own moral convictions and to claims about social utility to reshape the law as they think it should be in the future. But that judges should do none of these things in a democratic society. That judges should instead strive (if humanly and so imperfectly) to apply the law as it is, focusing backward, not forward, and looking to text, structure, and history to decide what a reasonable reader at the time of the events in question would have understood the law to be—not to decide cases based on their own moral convictions or the policy consequences they believe might serve society best.

As Justice Scalia put it, ''If you are going to be a good and faithful judge, you have to resign yourself to the fact that you're not always going to like the conclusions you reach. If you like them all the time, you are probably doing something wrong.''

This is exactly the kind of judicial philosophy we need our judges to espouse, and Neil Gorsuch is exactly the man to embody it on the Supreme Court. If there is one line in that lecture to which I could draw attention, it is the quotation of Justice Scalia's formulation of the very basic notion that a good judge will oftentimes reach outcomes that he does not personally agree with as a matter of policy. Such a notion should be uncontroversial.

Indeed, many of Justice Scalia's brightest opinions came in cases in which I suspect he would have voted differently as a legislator than as a judge. Yet such a concept might seem wholly foreign to a casual observer of media coverage of the Supreme Court, in which cases are invariably viewed through a political lens. Decisions and Justices are regularly described as liberal or conservative, with little attention paid to rationale and methodology, the matters properly at the core of a judge's work. This phenomenon reflects a regrettable dynamic observed by Justice Scalia himself. As the late Justice observed, when judges substitute their personal policy preferences for the fixed and discernible meaning of the law, the selection of judges—in particular, the selection of Supreme Court Justices—becomes what he called a mini-plebiscite on the meaning of the Constitution and laws of this country. Put another way, if judges are empowered to rewrite the laws as they please, the judicial appointment process becomes a matter of selecting life-tenured legislators practically immune from any accountability whatsoever.

If we value such a system of judicial review, a system deeply at odds with the Constitution's concept of the judiciary, then one can easily see why judicial selection becomes a matter of producing particular policy outcomes. Thus, it is easy to see why many on the left who believe in such a system demand litmus tests on hot-button policy issues. To them, a judge is not fit to serve unless they rule in a way that produces a particular policy. Simply put, this is a terrible way to approach judicial selection. It undermines the Constitution and all of the crucial principles that it enshrines from the rule of law to the notion that our government's legitimacy depends on the consent of the government.

A good judge is not one that we can depend on to produce particular policy outcomes. A good judge is one we can depend on to produce the outcomes commanded by the law and the Constitution. Neil Gorsuch has firmly established himself as that kind of a judge. In Neil Gorsuch's America, the laws that bind us are made by the people's elected representatives, not unelected, unaccountable judges. In Neil Gorsuch's America, the powers and limits of each branch of government are decided by the Constitution, no matter whether their enforcement produces a liberal or conservative outcome. In Neil Gorsuch's America, the basic freedoms of the American people enumerated in the Bill of Rights are carefully protected, whether they are in fashion lately with the left, the right, both or neither. In Neil Gorsuch's America, the views that matter are yours and mine, not those of a handful of lawyers in black robes in Washington.

For these reasons, I applaud the President for his absolutely stellar choice. Judge Gorsuch will do us proud as our next Supreme Court Justice. I will do everything in my power to ensure his confirmation. I will have more to say on this in the future, but I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, it hasn't even been 2 weeks, and President Trump has already demonstrated that he has little tolerance for independent thinking and dissent. He has his own version of reality, which is why his administration resorts to alternative facts.

When the media accurately reported how small the crowd was at his inauguration, he presented us with alternative facts. When the media pointed out he lost the popular vote by the largest margin of any President, he boldly proclaimed, without any evidence, that 3 to 5 million people voted illegally. Many consider this whopper as a cynical way to encourage more States to pass voter suppression laws justified by the bogus claim of widespread voter fraud.

Just 2 days ago, the President again showed the American people how intolerant he is of principled dissent when he fired acting Attorney General Sally Yates after she refused to enforce or defend his totally unjustifiable, knee-jerk, and probably unconstitutional Executive order on Muslim immigration.

By firing Sally Yates, the President demonstrated once again that he values loyalty to himself above service to the American people and adherence to the Constitution. This is particularly disturbing as we begin to consider the President's nomination of Judge Neil Gorsuch to sit on the Supreme Court.

I am only beginning to scrutinize Judge Gorsuch's record, but I am very concerned that he will be a rubberstamp for President Trump's radical agenda. You don't have to take my word for it. You only have to listen to what the President has been saying

over the past 2 years. In June 2015, then-Candidate Trump told CNN's Jake Tapper that he would apply a pro-life litmus test for his nominees to the Supreme Court. He did it again at a press conference last March, during the third Presidential debate, and shortly after his election.

This isn't the only litmus test President Trump promised to apply. In February 2016, President Trump committed to appointing a Justice who would allow businesses and individuals to deny women access to health care on the basis of so-called religious freedom. In February 2016, President Trump told Joe Scarborough he would make upholding the Heller decision on guns another litmus test for his Supreme Court nominee. Like tens of millions of Americans, I am deeply concerned that President Trump applied each of these tests before he nominated Judge Gorsuch to the Supreme Court.

In the weeks and months ahead, I will carefully and extensively scrutinize Judge Gorsuch's record. I will question him on his judicial philosophy and how he interprets the Constitution. I will insist he clarify his position on a woman's constitutionally protected right to choose, on voting rights, and the appropriate balance between corporate interests and individual rights. I will do my job as a United States Senator. The American people deserve nothing less from each of us.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

STREAM BUFFER RULE

Mr. MCCONNELL. Mr. President, for the last 8 years, the Obama administration has pushed through a number of harmful regulations that circumvent Congress, slow growth, shift power away from State and local governments toward Washington, and kill a lot of jobs. Even on the way out the door, the former administration's regulatory onslaught continued as they pushed through more midnight regulations. These nearly 40 major regulations, which were pushed through by the Obama administration since election day, would cost Americans a projected $157 billion, according to one report.

Fortunately, with a new President, we now have the opportunity to give the American people relief and our economy a boost. One of the most important tools we have is the Congressional Review Act, which allows Congress to provide relief from heavy-handed regulations that hold our country back.

The House just took an important step by sending us two pieces of legislation that will reassert congressional authority and make a real impact for the American people.

One of those resolutions will address a regulation that puts U.S. companies at a competitive disadvantage to private and foreign companies. Passing this resolution will allow the SEC to go back to the drawing board so that we can promote transparency, which is something we all want, but to do so without giving giant foreign conglomerates a leg up over American workers. We will take it up soon.

The other resolution, which we will take up first, will address an eleventh-hour parting salvo in the Obama administration's war on coal families that could threaten one-third of America's coal-mining jobs. It is identical to the legislation I introduced this week and is a continuation of my efforts to push back against the former administration's attack on coal communities.

Appalachian coal miners, like those in my home State of Kentucky, need relief right now. That is why groups like the Kentucky Coal Association, the United Mine Workers Association, and 14 State attorneys general, among others, have all joined together in a call to overturn this regulation.

The Senate should approve this resolution without delay and send it to the President's desk. The sooner we do, the sooner we can begin undoing the job-killing policies associated with the stream buffer rule. This is not a partisan issue; this is about bringing relief to those who need it and protecting jobs across our country. I hope our friends across the aisle will support our Nation's coal miners and join me in advancing this resolution.

After we address these regulations, both the House and the Senate will continue working to advance several other CRA resolutions that can bring the American people relief.

MOTION TO PROCEED TO LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. SCHUMER. I announce that the Senator from Delaware (Mr. COONS) and the Senator from Illinois (Mr. DURBIN) are necessarily absent.

The PRESIDING OFFICER (Mr. TILLIS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 41 Ex.]

YEAS—55

Alexander	Flake	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCain	Wicker
Enzi	McCaskill	Young
Ernst	McConnell	
Fischer	Moran	

NAYS—42

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Sanders
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Feinstein	Murphy	Warren
Franken	Murray	Whitehouse
Gillibrand	Nelson	Wyden

NOT VOTING—3

Coons	Durbin	Sessions

The motion was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 38.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to H.J. Res. 38, a joint resolution disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Delaware (Mr. COONS) and the Senator from Illinois (Mr. DURBIN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—56

Alexander	Blunt	Burr
Barrasso	Boozman	Capito

Cassidy	Hatch	Perdue
Cochran	Heitkamp	Portman
Collins	Heller	Risch
Corker	Hoeven	Roberts
Cornyn	Inhofe	Rounds
Cotton	Isakson	Rubio
Crapo	Johnson	Sasse
Cruz	Kennedy	Scott
Daines	Lankford	Sessions
Donnelly	Lee	Shelby
Enzi	Manchin	Sullivan
Ernst	McCain	Thune
Fischer	McCaskill	Tillis
Flake	McConnell	Toomey
Gardner	Moran	Wicker
Graham	Murkowski	Young
Grassley	Paul	

NAYS—42

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Sanders
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Feinstein	Murphy	Warren
Franken	Murray	Whitehouse
Gillibrand	Nelson	Wyden

NOT VOTING—2

Coons	Durbin

The motion was agreed to.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule.

The PRESIDING OFFICER. Pursuant to 5 USC 802(d)(2), there will be up to 10 hours of debate, equally divided between the proponents and the opponents of the resolution.

The Senator from Utah.

NOMINATION OF NEIL GORSUCH

Mr. LEE. Mr. President, I rise to speak about the nomination of Judge Neil M. Gorsuch to be an Associate Justice on the U.S. Supreme Court.

Confirmation of anyone appointed to the Federal judiciary is a big deal. Confirmation of someone appointed to serve on the Supreme Court of the United States is an exceptionally weighty matter. I therefore approach this with the seriousness it deserves. I approach this as one who has argued in front of Judge Gorsuch. I found as a lawyer that he is an exceptional judge, an unusual judge—a judge who comes to argument with an unusual degree of preparation, having read all the briefs and apparently all of the cases and all of the statutes cited in the briefs.

There are some judges who at oral argument are constantly asking questions, but they are not necessarily questions that need to be asked. Perhaps some judges want to hear the sound of their own voices. That is, of course, something that would never happen here, in the U.S. Senate, but it happens sometimes with other people. There are other judges who might be quiet throughout an argument. Then there is a unique category of judge, a judge who doesn't necessarily speak constantly but a judge who listens attentively and then pounces at the moment when he or she sees the pivotal moment in the case arising.

The late Justice Oliver Wendell Holmes, Jr., used to say there was a point of contact in every case. When asked, he pointed out that the point of contact in any case is the place where the boy got his finger caught in the machinery. I learned that quote when I was in law school. I have never entirely understood what it means, but it reminds me of the fact that in every case, there is a pivotal fact and a pivotal aspect of the law which, when properly understood, can help lead the court to a proper disposition of the legal question at hand.

Judge Gorsuch is one of those rare judges who is able to seize upon the point of contact in any case. He does so with seeming effortlessness. Yet I know he does it in a way that requires a lot of effort because these things don't just come naturally. They come only as a result of faithful study of the law, of faithful attention to detail in every case, reading every brief in every case.

Judge Gorsuch does this in part because he was well trained. When we look at his background, we can see that excellence has always been something we have been able to see from him. He graduated with honors from Harvard Law School and received a doctorate in jurisprudence from Oxford. He clerked for three brilliant and very well-respected jurists: Judge David Sentelle on the U.S. Court of Appeals for the DC Circuit and Justice Byron White, as well as Justice Anthony Kennedy of the U.S. Supreme Court. We could not ask for a better legal education or a stronger record of accomplishment from a young lawyer.

After his clerkship, Judge Gorsuch entered into private practice, where he was a trial attorney for 10 years. In 2005, he joined the U.S. Department of Justice as Principal Deputy Attorney General, and he became a judge on the Tenth Circuit in 2006, where he has served for the last decade.

Judge Gorsuch has what I would consider—and I think what most would acknowledge—is the correct approach to the law. He is a judge's judge, both literally and figuratively—literally, because he sits on the U.S. Court of Appeals for the Tenth Circuit. He literally judges the rulings of other judges. It is his job to decide whether other judges have done the right thing. And he is a judge's judge figuratively in the sense that he has the characteristics that all judges aspire to—or at least should. He decides cases based on what the law says and not on the basis of what a particular judge might wish the law said.

I particularly enjoyed last night listening to Judge Gorsuch speak at the White House, his reference to what he considers an important, telltale sign of a good judge or a bad judge. He said: ''A judge who likes every outcome he reaches is very likely a bad judge, stretching for results he prefers rather than those the law demands.'' So a bad judge is one who necessarily likes all the results he reaches, and it naturally follows that a good judge will, from time to time, necessarily disagree with some of the judge's own rulings. In other words, the outcome of the case doesn't necessarily match up with the outcome the good judge would prefer—or the judge, an all-powerful ruler who had the power not only to interpret the law but also make it, establishing rules, embodying policies that would govern in all cases.

This is the essence of the conservative legal movement—the judicial conservative movement, we might say—in which Justice Scalia was so influential, which is why it is so fitting that Judge Gorsuch has been named to replace Justice Scalia.

Judges do not have a roving commission specifically to address all of the evils that plague society. They don't have a roving commission to decide big policy questions of the sort we debate in this Chamber every day. The judge's role, rather, is to apply the facts to the case at hand, and, in the case of the Supreme Court, to provide guidance to lower courts so they can resolve difficult and consequential questions of law. Judge Gorsuch understands the difference between being a judge and being a legislator, and that is very much reflected in his work on the bench.

When I had the privilege of practicing law and appearing in front of Judge Gorsuch, I was able to be the beneficiary of his skill as a judge and of his commitment to the rule of law. Over the last few days, I have had the privilege of reading many of his opinions. I spent hours upon hours poring through his opinions. Knowing that he might well be named to the Supreme Court, knowing he was one of the potential nominees made me want to learn more about him than I already knew. I have to say, every single opinion I read, without exception, was impeccable to an unusual degree. They are methodical. They are careful. They are studious. They reflect a degree of academic and professional craftsmanship rarely seen. He treats the parties appearing before him with dignity and respect. He takes their arguments seriously, and he respectfully explains their arguments as he addresses them.

I know from my time in the practice of law that no one likes to lose a case, but I doubt any litigant has read a Judge Gorsuch opinion and felt like he failed to understand their position or that he failed to take their views seriously with the credibility and dignity they deserve. This is a crucial yet, sadly, often underrated factor when reviewing the work of any judge.

Most of all, his opinions are just brilliant. They are digestible to lawyers

and nonlawyers alike. This is crucial because the judiciary belongs to everyone in this country, not just to attorneys. Judge Gorsuch's opinions are memorably written without being snarky, and he scatters his opinions with literary and philosophical references to highlight the legal points he is making while also just making the opinion much more interesting. As someone who has read more than my fair share of judicial opinions, I can tell you that Judge Gorsuch's opinions are among the very best I have ever read. I don't just mean a few of them, I mean every single one of them that I have read, which is a lot of them. They are very, very good. In fact, they are Supreme Court caliber.

Judge Gorsuch has written hundreds of opinions, but there are two recently decided cases I wish to highlight.

He is a critic of an obscure but very significant legal rule known as the Chevron doctrine. When the Supreme Court decided the Chevron case back in 1984, the Justices may not have thought they were deciding a big case. They might not have realized the extent to which the decision in Chevron v. NRDC—the extent to which that case would have such a profound impact on the Federal judiciary and on the state of the law in the United States of America, but Chevron is in fact one of the most important Supreme Court cases that most of us have never heard of. It says that the courts must defer to an agency interpretation of a statute if the statute is ambiguous.

The problem with Chevron, as Judge Gorsuch has pointed out, is that it tends to divest the courts of their obligation to ''say what the law is,'' as Chief Justice John Marshall wrote in Marbury v. Madison. It has led to a system in which executive agencies not only make and enforce the law but also interpret the law, arrogating to themselves, in effect, some aspects of the powers allocated to all three branches of the Federal Government. This is a violation of the doctrine of separation of powers, one of the most important protections in the Constitution, one of the two fundamental structural protections in the Constitution, as important as any other provision in our founding document.

Worse, doctrines that have developed in response to Chevron allow agencies to stake out a legal position, lose in court, and stake out a new legal position that reaches the same outcome. As Judge Gorsuch points out, that creates fair notice and equal protection problems.

Now, there are two additional points to make about Chevron. First, in the coming days, we will undoubtedly hear some of my colleagues complain that getting rid of Chevron will somehow make the air less clean, our food less safe, our financial system more unstable, and cause a whole lot of other problems, but as Judge Gorsuch has written, ''We managed to live with the administrative state before Chevron. We could do it again. Put simply, it seems to me that in a world without Chevron, very little would change—except perhaps the most important things.''

Second, it is important to note here that the Chevron doctrine is not a particularly ideological one.

Indeed, in the 1980s, Chevron primarily assisted the Reagan administration's deregulation efforts, and junking the doctrine today would constrain the Trump administration's use of regulations. So eliminating the doctrine would affect equally Republican and Democratic policy goals. In any event, I am sure, based on his background and on his record, Judge Gorsuch's critique of the doctrine is not about politics; it is about first principles. At the end of the day, Chevron is neither Republican nor Democratic; it is neither liberal nor conservative. It is simply wrong.

In another notable case, Judge Gorsuch was the lone dissenter in a case in which an 11-year-old student was arrested for generating fake burps in class. As heinous a crime as some might perceive this to be, it is not ordinarily the kind of thing that results in calling the police. Judge Gorsuch would have concluded that clearly established law prevented the arrest and that the child's parents should prevail in a lawsuit against the school officials who decided to call the police in response to this childish act in class. This is not uncommon for Judge Gorsuch, who has voted not to provide qualified immunity in several cases and has voted in many cases for the underdog, for someone who might otherwise not have had a chance in court but for the willingness of one very brave and astute and diligent judge to study the law and the facts of that case aggressively so as to make sure that justice was accorded to the parties.

There are other important areas of the law where Judge Gorsuch has made an important contribution during his time on the U.S. Court of Appeals for the Tenth Circuit. I will be talking about some of those at length in the days and weeks to come. He has been a staunch advocate for the First Amendment. He has read criminal statutes to constrain the government's power, where appropriate, and has voted in several cases to withhold qualified immunity. All of these are important, and I look forward to discussing them with my colleagues.

Before I close, I want to talk a bit about the confirmation process. In 2006, Judge Gorsuch's nomination to the Tenth Circuit was so uncontroversial that it lasted 26 minutes—just 26 minutes, less time than a ''Brady Bunch'' episode. He was confirmed on a voice vote. Among other notable Members of the Senate the day that Judge Gorsuch was confirmed were Minority Leader SCHUMER, ranking member of the Judiciary Committee FEINSTEIN, Senator DURBIN, and Senator LEAHY.

Already, prominent liberal lawyers are praising his nomination. Neal Katyal, who served as Acting Solicitor General under President Obama, has a New York Times op-ed in which he urges liberals to support Judge Gorsuch. Katyal writes:

> I, for one, wish it were a Democrat choosing the next justice. But since that is not to be, one basic criterion should be paramount: Is the nominee someone who will stand up for the rule of law and say no to a president or Congress that strays beyond the Constitution and laws? I have no doubt that if confirmed, Judge Gorsuch would help restore confidence in the rule of law. His years on the bench reveal a commitment to judicial independence—a record that should give the American people confidence that he will not compromise principle to favor the president who appointed him.

Judge Gorsuch is exactly the type of judge who should be confirmed, who should be allowed to serve on the Supreme Court of the United States. This vacancy was a central issue in the 2016 election. The people have now spoken, and I plan to honor the results of this election by working as hard as I can to see Judge Neil Gorsuch confirmed to the Supreme Court of the United States.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor tonight to start debate on what is called the Congressional Review Act of the stream protection rule. For people who are probably saying ''I don't understand any of that; could you explain it to me?'' what we are going to do tonight is to start this debate, which is really about clean water, and it is about making sure that polluters clean up their messes, particularly when it comes to streams and the beauty we have in our country that is used by many people. And it is about making sure that rules for polluters paying are enforced in law and, clearly, agencies which have developed those rules in conjunction with laws that are already on the books continue to have those laws in effect.

We are in a new administration, and already the debate is starting where people would like this end result to be clean water, 0; Donald Trump, the new President, 1. That is because this administration is starting a war on clean water, and tonight that debate is coming to the Senate floor. It is coming to the Senate floor because the last administration worked for more than 5 years on producing something to make sure that we had safe drinking water and safe stream water for fishing and to make sure that industries that are known for polluting ensure that their level of pollution is cleaned up.

After more than 5 years in the implementation of that rule, after thousands and thousands of hours of discussion and debate, as it has become a rule, now there is one thing that can stop it. There is one thing that can stop it; that is, if Congress uses its authority under the Congressional Review Act to repeal it within the 60 days of legislative action that it has become effective.

What is happening is that the Trump administration and our colleagues on the other side of the aisle are trying to say that we want to repeal more than 5 years of hard work of clearly outlining a stream protection rule to protect streams in the United States of America from pollution caused by certain types of mining activity.

Let me show you a picture of what I am talking about. This stream could be anywhere in America. It could be anywhere in the United States of America. It is probably a good picture. Why? Because it shows the great outdoors. Probably for me, it is somewhere I would like to hike. It shows a stream, but it shows the degradation of that stream with the pollution in the stream.

Whether you are Trout Unlimited, which supported this rule, or you are the Wilderness Society, or all the hunting and fishing groups that supported this rule, or you are just one of the many citizens in a State where mining exists and you are happy that it exists there but you also want them to be clean up their messes—these are the people who do not want to see this level of degradation in the streams.

Why don't they want to see it? Because first and foremost they obviously don't want to see it, but if you are a fisherman and you are out fishing, you certainly don't want to see the impacts that selenium is causing on fish.

There are a couple of incidents here where the impacts of selenium on fish are shown in this diagram. Deformation both here in the tail and here in the mouth of fish are impacts from selenium in streams. We do not want to see selenium having that kind of impact on our fish.

What do we want to do? We want to make sure that we are measuring selenium in the streams and that we are cleaning it up. That is what we want to do. The notion that somehow people have described a rule for stream protection that is about having safe drinking water and having safe fishing water is about a ''war on coal'' is just wrongheaded. This is about making sure that we don't overturn something that took over 5 years to get in place. And I should say, it is the first time in 33 years that we have updated this rule.

For 33 years, the Department of the Interior has said that the hydraulic impact of mining on a stream should be mitigated. What has changed in the last 33 years is that we now have better technology and we have more information about selenium. We know that it impacts fish, and we want mining companies to measure their impacts on headwaters and make sure they are doing something to minimize this selenium impact.

I know people think that maybe in this process for 5 years—somehow that created a decrease in the amount of coal in the United States of America, even though the rule was just getting started. Let's look at the real issue. The real issue is that natural gas becoming cheaper in the United States of America has pushed down the demand for purchasing coal, a more expensive product that had nothing do with this rule.

I have been in business and, yes, you plan for the future. And if you think your business is going to have to increase its insurance or change its business practices, yes, you consider all of that, but this chart clearly shows that our electricity grid has gone from having 50 percent of it supplied by coal now down—as this line is crossing here—to about 30 percent of our electricity grid from coal.

This rule was not in place. Saying that you want to have safe drinking water has nothing to do with what has happened in the marketplace as natural gas has become a more viable option than coal. This chart shows it.

We have another chart that also shows this 23-percent decline in coal. Why? Again, because of natural gas consumption going up. For those on the other side who would like to say this is somehow about a war on coal, I will tell you, we should not denigrate anybody for the job that they have done to support their families. In fact, I believe we should make sure they have a pension, make sure they have health care.

It is a tragedy that we bailed out Wall Street from the U.S. Treasury, and as pension programs all across America imploded, nobody wanted to bail out the pension program for miners so they could retire with the kinds of health benefits that other people do. If we want to help individuals who are suffering in coal country, I suggest that we take care of their pensions.

In the meantime, what we should do is make sure we are preparing for the health and safety of people who depend on these streams for multiple uses; that is to say, there are those in an outdoor economy who count just as much on those streams and count on them not being polluted because of certain mining activities.

This chart can be shown in just about every State of the United States. The outdoor economy in our States—the people who like to go fishing, the people who like to go hunting, the people who like to navigate our rivers and want to do so when they are not polluted—is 6.1 million direct jobs in the United States. That basically dwarfs the coal industry.

This isn't about saying one job is better than the other, but the notion that somehow we are hurting our economy because we want to have clean streams and we want people to be able to safely catch fish without selenium in them is basically ignoring the facts. By not regulating the coal industry to make sure they are cleaning up their mess, you are hurting the 6.1 million jobs that depend on having clean streams.

I know people here probably understand that Montana is full of streams. That movie, ''A River Runs Through It,'' is iconic in the Northwest as an example of why people love the outdoors because they want to fish. They want the experience of going and being outdoors and having the wonder of that.

I personally have been in the streams of West Virginia and have had a fabulous time. I want other people to understand that these streams are worth protecting all over the United States of America. But the movie is not called ''A River Runs Through It and a Mine Sits on Top of It.'' We don't have people moving to Montana and buying ranches, making investments, hiring people, and diversifying because they want to see the mines in Montana. They want to see the beauty of the outdoors. They want it to be pure and pristine, and they want people to clean up their pollution. If we are talking about an economy and you want to talk about jobs, do not ruin the $80 billion in tax revenue that comes from an outdoor industry because you want to allow an industry to continue to pollute.

I am going to continue for the next year to make this point to my colleagues in the West who are going to try to overturn every rule they don't like because they think somehow that they want to claim it impacts jobs. We are going to have this discussion, and we are going to show that the outdoor economy is just as important and is actually producing more jobs and producing more revenue. The only point of conflict, I think, is when one impacts the other to the degree of creating pollution and then taking a beautiful stream away from us—because no one wants to fish in a stream with that level of pollution.

Why are we here? We are here because certain types of mining—particularly, mountaintop removal mining—make it way more challenging to protect those streams. As I mentioned, for the last several years, people have been discussing what to do to make sure that these companies are making sure the environmental impacts are minimized. The production of these mines has actually fallen a great degree in the last several years.

We have been working, as I said, during this time period to make sure that we implement the right kind of regulations so that people will clean up this mess. As I mentioned, it has been basically since the early eighties until this level of attention was given to a new rule. Why do we want to change a rule that was from 1983? Because it says that you must minimize the disturbances to the prevailing hydraulic balance at the mine site and offer areas and quality of water and ground water systems, both during and after the mining operations.

President Trump did not invent that. That has been in law all along. The notion that somehow that has changed is not correct. It has been in the opening days of the Trump administration that people are trying to say that stewardship doesn't matter, that somehow, yes, we want to have immaculate water

and immaculate air—as President Trump said—but it is OK if regulations cause a problem for business. What business? The outdoor industry or the coal industry? Because right now, you are talking about making a change to what is protection of those streams and repealing a law that is about safe drinking water. We don't want to eliminate that.

We want to make sure that we use the best technology available to minimize the disturbances, address the impacts on fish and wildlife, and any other related environmental issues. We know a lot more about mining and fishing. As I showed you one picture, I will show you another impact of selenium. Basically, it is showing the deformation. What we now know much more about is how selenium does impact these areas.

What is at stake if you kill the stream protection rule? Our sportsmen—groups like the National Wildlife Federation and Trout Unlimited—say this:

> The resolution is an ill-conceived tool for jettisoning a very useful rule that protects mountain head water streams and communities throughout the coal country in Appalachia. We urge you to oppose striking this rule, and to instead work with the Department of Interior to protect these streams, and make necessary improvements to improve the CRA, instead of using it as a cleaver.

They go on to say:

> 150,000 passionate trout anglers work to conserve, protect and restore our Nation's trout and salmon fisheries and their watersheds. And our members give back to the resources they love by investing dollars and hundreds of thousands of volunteer hours to conserve streams.

So you can see that they feel passionately about this. They feel passionately because this is part of our outdoor economy and what people have passion about.

In my State, people would say: Well, you have these other jobs. No, actually, in our State, there are 250 abandoned mines in Washington. Yes, if we don't clean them up, and if we don't make sure there is reclamation, there is still pollution.

We have had a mine history in our State, but we want responsible mining and we want responsible cleanup. With today's rule that is in place and that you are trying to repeal—to repeal safe drinking water, basically—that would take those tools away and allow pollution to continue. What is the cost of that? It is very small. You would think that the way some people go on about this, that somehow this is astronomical amounts of money. Basically, it is about 0.1 percent of the industry's annual revenue. When you are in business, you think about your costs. You think about your cost of doing business. Yes, the cost of doing business has to include making sure that you clean up pollution. To me, this is an industry that makes way more than this in its annual revenue.

Am I empathetic to my colleagues who represent States that are changing in their energy mix and resources? Do you think we need to have a plan for that? Yes. Do I think we need to have a plan for how we are going to diversify? Yes, I do. But this is not an economic debate about how we are going to save jobs. In reality, as I showed in the chart before, the natural gas prices are driving coal to a much lower level of our electricity grid than ever before in our history, and that is not going to change.

Let's make sure we clean up our streams. Let's make sure we use the best technology available to make sure we are detecting that pollution and require people to have a minimal amount of responsibility in the cost of what it takes to make sure that selenium is not in drinking water or impacting our fish.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

SPIRIT OF BIPARTISANSHIP

Mr. TILLIS. Mr. President, I want to thank my colleague from Utah and his eloquent comments about the Supreme Court nominee. I would like to associate myself with everything he said. He has the kind of experience and insight that I hope so many Members on both sides of the aisle will listen to.

I am here to talk about the spirit of bipartisanship and getting things done. I submitted an editorial to my local newspaper down in Charlotte a couple of weeks ago. The whole premise of my opinion was that in November the voters did not vote for a Republican mandate; they voted for a results mandate. They are tired of the gridlock they see up here in Washington. They are tired of people promising things they know they can't deliver. They are wanting for a leader in President Trump and in the congressional leadership people who want to produce results. They want people who want to work across the aisle and come up with bipartisan solutions to a lot of the problems that confront this Nation.

You would have thought that I changed my registration and became a member of the minority party with the criticism that I got from people on my side of the aisle. I was called a RINO. For those of you who don't know what that is, that is a Republican in name only.

When I was the speaker of the house in North Carolina, the last thing I was ever called was a RINO. We worked on a conservative agenda that made sense. We gained the support of a number of Democrats along the way. North Carolina is a lot better place because of the courage of those folks who were willing to work across the aisle to help our great State, to go from one of the laggards in terms of economic performance to one of the leading States in the Nation for economic performance over the course of about 4 years.

I don't really care about the criticism from the talking heads—from the far left or the far right—because I consider them one of the great threats that we have to actually turning this Congress around and getting things done. I am going to do everything I can to reach across the aisle and produce solutions to some of the most vexing problems we have.

There are solutions within our reach. If you think about immigration reform, there is a 40-year-old failure on the part of the Republicans and Democrats to address the immigration problem. Everybody wants their position on one end of the spectrum or the other versus what the American people want or a solution to the problem—a solution that makes sure the American worker is respected and taken care of, that our borders are secure, and that we end this 40-year-old failure on the part of Washington to solve the problem.

They want solutions on criminal justice reform. We have many people in prison who, after they get out, are more likely to go back into prison because we really haven't thought about commonsense ways to help them enter back into society and have productive lives, beyond just going back into a criminal enterprise. We can solve that problem, but we can only solve it if we have Republicans and Democrats come together—and silence the voices who want their perfect version based on their ideology—on a solution that makes sense to the average American.

The agenda that we want to complete can only be completed if we have people who have the courage to come to this floor and do what I consider to be political courage. It is not courageous for me as a Republican to stand up to a Democrat and oppose their view. That is my job. I am a conservative. I am a proud conservative. Courage, in terms of someone who would walk onto this floor, is someone who can look at a person—a fellow Republican and conservative—and say: We are not going to go where you want to go because we are here to get something done—not just to make speeches, not to talk about an unachievable goal, but to make progress on things that are sound, conservative policies. But maybe we have to make some compromises. Maybe we have to go a little bit further than we want because we want to get something done. We want to pass things that are good. If we wait to only pass things that are perfect, then we will be guilty of doing exactly what many other people have done in this body—to promise a lot and deliver very little.

I took a lot of hits for my op-ed and my public comments about bipartisanship, about compromise, about respect, about reaching across the aisle. I am willing to take those hits because I would rather go down as someone who is willing to go get something done than someone who is willing to only settle for the perfect, knowing that perfect never happens here. The Founding Fathers didn't expect perfect. The Founding Fathers introduced defects, if you read the Federalist Papers, that

prevented any one ambition from prevailing. To have ambition set against ambition is foundational to our democratic institution here. We are not going after perfect. We are going to go after good.

I was really excited. I got some great comments from my friends across the aisle. I thought this is an area where we can work together. There are a lot of areas where we can't work together because our world views are so different. Let's not focus on those. Let's focus on things on which we can work together. I thought we had a minority leader who was actually committed to that. At least that is what I thought. But I have to say I am beginning to wonder if we haven't gotten a different sort of view of the leadership. Comments today do not reflect the comments of not so long ago. In 2012, the minority leader said:

> Everything doesn't have to be a fight. Legislation is an art of working together, building consensus, compromise.

I could have written that. I absolutely agree with that principle. That is why I got criticized by folks on my side of the aisle—or the talking heads, anyway, the conservative talking heads—because I wasn't willing to take a purist position.

Now, you fast forward. And the minority leader made this comment when he was not the minority leader. But today this is what we are hearing just within the last month: ''The only way we're going to work with him''—that would be President Trump—''is if he moves completely in our direction and abandons his Republican colleagues.''

Does that sound like bipartisanship? Does that sound like somebody who wants to reach across the aisle and work on immigration reform, criminal justice reform, sentencing reform—things where I believe there is a majority of people in this body, as many as 60 or more votes—who would be willing to move legislation? I don't think so.

We have to make sure that people like this are accountable to the American people, the so-called real people. I will get to that in a little bit. That is not bipartisanship. That is not leadership. That is divisiveness. That is gridlock. That is the stuff that inspired me to run in 2014. That is the thing I am against, whether it is a Democrat saying it or a Republican saying it.

I think we can also expect more of what really stems—or what you can infer from the latest position of the minority leader, more gridlock. We will go to the next chart. The sort of a double standard here, duplicity, really drives me crazy. Situational ethics I will call it or situational principles. On the one hand, you stand firm on something. You fast forward because you didn't like the outcome of the election, and suddenly you no longer take that same position.

People can rationalize it any way they want to, but I think the real people, the real voters, the folks out there, see this for what it is. It is taking a so-called principled position when that particular position benefits your agenda, not necessarily something that is bipartisan, something that actually serves a political agenda.

The Supreme Court, I think that is what we are going to see here. I have presided. I have been a freshman for 2 years. We get to preside a lot. I get to hear a lot of these floor speeches. I heard endless speeches talking about how we needed to do our job, how we actually—here is another quote from the now minority leader:

> The Supreme Court handles the people's business. As President Reagan put it, every day that goes by without a ninth justice is another day the American people's business is not getting done.

Now what we are hearing is that same group of people say they are going to use every lever they can to stop us from seating a ninth Supreme Court Justice. What has changed, except for the fact that you are not happy with the outcome of the election? So I think we need to recognize that the American people are sick of Democrats and Republicans promising things, but if they don't get their way in the election outcome, if they are not able to set the agenda, then they are no longer interested in bipartisanship.

I have a lot of confidence in this body. I have a lot of confidence in a number of people on the other side of the aisle. I think there is a pent-up demand among Members here who want to see results—not perfect, but good. I am going to do everything I can to work with those. I will do an equal amount of time focused on those who I don't think are acting in the best interests of their own constituents. They are not listening to the real people in America, the real people who did not endorse a Republican mandate in November.

They said: It is time to stop. It is time to get things done. It is time to treat people with respect on both sides of the aisle. It is time to accept good, and it is time to stop pretending that this body can produce perfect. Now, I have to say I am glad to see my colleagues on the other side of the aisle are starting to look at the so-called real people.

Last week, the Republicans were in Philadelphia. We were at a retreat. At the same time, there was a group of my colleagues on the other side of the aisle who were meeting up in West Virginia. There was a Politico article that I thought was particularly interesting. This was a part of the published agenda that was reported by Politico, an agenda that says they are getting people together. They want to talk about speaking to those who feel invisible in rural America, listening to those who feel unheard, and a discussion with Trump voters.

There was another entry in the agenda, I believe, that says talking to real people. I am here to talk to the real people tonight. You have Members in the Senate who want to get things done. We know you are hurting. We know the government has failed you, Democrats and Republicans. We have failed to actually take the tough votes. We have failed to deliver. It is time for us to deliver.

I believe we have a President who expects us to reach across the aisle and solve problems. I am going to be a part of solving that problem. We have a great opportunity here with the Supreme Court nomination. It is time to get past the election results, get over it, and get to work. It is time to recognize that the real people, the people who sent a mandate here—but the mandate was not Republican, it wasn't far right, it wasn't far left—all they said was produce results.

I am going to produce results. I am going to expect my Members to produce results. I am going to go into my conference, when it looks like we are going down the path of taking an intransigent position that does not produce a result, and I am going to call them out. I am also going to hold my colleagues on the other side of the aisle to the same standard.

I am going to hope to find folks who want to solve the immigration problem in a respectful, methodical way. I want to work with people on the other side of the aisle who want to solve the criminal justice problem, the sentencing reform, the judicial reform bills that are moving through that have, I believe, far more than 60 votes to support it.

We have to work on these. We will save the other ones where we simply can't find common ground, and those will be the arguments that we can have that can influence future elections, but for the next 2 years, let's get work done. Let's actually be able to go back to our State and proudly proclaim that we had the courage to stand up to people on our side of the aisle when getting to perfect was at the expense of doing something good.

If we do that, we will have one of the most productive legislative sessions. The 115th Congress could go down in history as one of the most productive Congresses in the last 100 years. I want to be a part of that story. I want to go back to North Carolina and be proud of what I did, proud of the compromises, proud of the bipartisan relationships that we did to solve these problems.

I am going to go to other States who may be up for reelection in 2018 and either thank the Members on the other side of the aisle who worked with us for those solutions or campaign against them because they failed to actually look at their constituents and do the right thing.

There are a lot of opportunities here. I, for one, am going to spend every waking hour to make sure I do my part, and I can be proud of the work I did to produce results, to answer that mandate by the electorate that came in November to produce results.

I have every confidence that there are enough Members here to join us.

With that, we will do great things. We will fulfill the promises we made. There is nothing more rewarding than being able to look your constituents in the eye and say: We did it. We listened to you. We compromised. We treated people with respect. We delivered.

I call on all my Members to think again about what they can do to be a part of providing the solutions. I look forward to working with them in this Congress.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I rise to speak on the stream protection rule. One of the first things we learn as kids is that if you make a mess, you are responsible to clean it up. It is good manners, but it is also a matter of ethics. It is about doing the right thing. This is the spirit, this is the idea behind the stream protection rule. It simply tells coal companies doing mountaintop mining that they need to clean up their mess if they make a mess. It seems pretty common sense to me.

Opponents of this rule argue that this is somehow an unfair burden on coal companies because coal is doing poorly in the emergency markets. Opponents seem to want to say that asking companies to be responsible to clean up whatever mess may have been made makes it harder for them to compete.

The truth is, coal is having a very difficult time in energy markets, but it is not because they are being required to clean up after themselves. It is because other energy resources are becoming cheaper. Solar is cheaper now than ever. The natural gas revolution is now in competition with coal. It is very difficult to get a new coal-fired powerplant on line. It may be even more difficult to recapitalize an old one. So coal is struggling, but the reason is not the stream protection rule.

There is another aspect of this, which is, since when is there no cost to doing business? Since when are any companies allowed to come in, pollute, and then walk away without doing anything about it? If you hired a contractor to work on your house and they left a pile of materials in your kitchen, you wouldn't say: Well, that is just the cost of doing business. You would say: Clean up the mess. That is part of the job.

There is no question that coal mining is a tough business, but it also can sometimes be a messy business. That is a simple fact. If we ignore the pollution that is caused, if we ignore the cost the public bears when toxic substances are dumped without proper treatment or when coal-fired powerplants spew carbon pollution into the atmosphere, for that matter, we are ignoring the cost of doing business.

To be fair, we have to make sure every industry, including the coal industry, plays by the same rules as everyone else. Up until December of last year, some coal companies just were not playing by the same rules. Mountaintop mining had leaked dirty water and waste into the streams. Researchers estimate that this has destroyed 2,000 miles of stream in the United States of America.

That destruction has a domino effect. It threatens the health of people who depend on those streams for their drinking water, it poisons fish, birds, plants, and it reduces the quality of life for people across the country. That is why the stream protection rule was established. It is there so parents don't have to worry when their kids go play by the stream or go fishing behind their house. It is there so ranchers don't have to worry about a nearby mine that could harm their land, and fishermen don't have to worry if the salmon catch is poisoned or if there are fewer fish because salmon are dying from pollution.

This rule is so communities don't have to worry that their daily lives will be changed because a company is not being responsible and cleaning up after itself. This may surprise some people, but the rule will actually create jobs. People like to talk about how burdensome regulations are, especially in the environmental space, but the truth is, it will not lead to fewer jobs.

The Department of Interior predicted it will actually create hundreds of jobs a year, not take them away. Most of all, it is going to have a real positive impact on the world we live in. Over the next two decades, researchers estimated that the stream protection rule would protect or restore 6,000 miles of streams. That is more than the distance between eastern Maine and my home State of Hawaii.

So if you care about protecting local water supply, if you care about having a place for your kids to go hiking and fishing, if you care about holding everyone to the same standard, then don't let this bureaucratic mumbo jumbo get in the way. This rule was created to fix a specific problem, and repealing it could effectively exempt mountaintop coal mining from modern regulation indefinitely.

This is a very important point that has to be made about Congressional Review Act votes. We are going to have a slew of them over the next probably 2 or 3 months. Here is the thing about a CRA vote because it gets rather technical. It is not just overturning a regulation. The way the law works, is that not only is the regulation overturned but an administration can never touch this issue again. We can't do anything that is ''substantially similar.''

So if you want to do something about the stream protection rule, make a law; override the rule that was just made and craft legislation. You have a working majority in both Chambers, work with the bipartisan group. You have four or five Democrats who voted for the CRA. Let's legislate.

What is going to happen when the CRA vote succeeds is we are never going to be able to touch the question of pollution from mountaintop removal again—literally. That is how CRA works. So every time we have a CRA vote, it is not just whether you like the particular rule and want to overturn it, it is whether you never want to touch this subject matter again. That is a rather serious threshold that we have to come through.

We are going to do a lot of CRAs. I know everybody on the Republican side is raring to go to sort of undo all the rules that were done under the Obama administration. Fair enough. We understand. You have the Presidency. You have both Chambers. It is certainly your prerogative to take up all of these CRAs, but be careful because you are not going to be able to touch these issues again. You are forfeiting your prerogative to touch these issues again.

So for the sake of public health and in order to leave a better world for our kids, we need to keep this rule in place.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I am here to speak in support of the Congressional Review Act on the stream protection rule.

I want to say to those who participated in the last election—where part of the discussion was the Federal Government knows all and needs to be in your life and in your business life every day, and it knows the best one-size-fits-all way—that help is on the way today. A lot of the talk of the election is now going into action in the form of the Congressional Review Act.

In particular, the stream protection rule was a last-minute power grab that was aimed at giving more power to the Federal Government.

Now, at the onset, I would like to say this: I don't have any charts. I don't have any pictures, but then I thought, you know what. Yes, I do. I have a lot of pictures on my device here, which I will not open up because it is against the rules and you will not be able to see anyway. But in these pictures, you will see a picture of me fishing in a beautiful stream in West Virginia, where trout is unlimited. You will see me riding an ATV on a Hatfield-McCoy Trail, which is the old mining trails and the old lumber trails in southern mine country in West Virginia, where thousands of people come every year. You will see me visiting a school or a business park that is built on the top of what is a reclaimed mountaintop removal.

If you have ever been to West Virginia, they don't call us the Mountain State for nothing. It is mountain after mountain after mountain, difficult terrain, and in some ways it is very difficult to have any kind of economic development.

So when the laws are enforced—the laws that we have now, in terms of water protection and reclamation—after the mining is finished, we have been able to have some economic development projects that have been to the benefit of many communities there.

So I have no charts. I live there. This is my home. I can drive 4 miles and be at a coal mine very easily, probably less than that.

I heard the argument about outdoor recreation, that people want to have outdoor recreation. I just described three outdoor recreation activities in my State, and the ranking member was talking about how she fished in West Virginia and enjoyed it and had good luck, I hope. Anyway, we have beautiful trout streams, but the outdoor recreator doesn't want to see a coal mine. I would bet the outdoor recreator doesn't want to see a nuclear plant, probably doesn't want to see a windmill farm, probably doesn't want to see a natural gas plant because when you are getting away to recreate, I don't know that anybody would want that, but I can tell you what they do want.

They want the steel that is in their truck to get them there. They want the electricity that they have to have when they go home at night to cook their food or clean their clothes or all the different things that electricity does.

There are tradeoffs to everything. Certainly coal has provided the baseload of the industrial revolution for this country, and we still, I think, have a great role to play.

There are estimates with this rule. The other thing is, it was said that there were no rules in place until we had this rule. That is absolutely false—absolutely false. This rule was rushed in. It was worked on for 5 years, yes. It had 10 State regulators. Let me go back.

The regulation, under the Clean Water Act, is done by the States through the EPA, in conjunction with State and Federal, with the EPA overseeing what the States are doing to make sure they are meeting the minimum standards.

So there are protections in place, and we welcome those protections. Where we live, where everybody lives, we want that. Can we do better? Absolutely, we can do better. We should always strive to do better.

This rule has been in the making for 5 years. Ten States came to this table, 10 States which were most heavily impacted, to try to help the Department of Interior develop this rule.

Our DEP Secretary Randy Huffman says that this proposed version of a stream protection rule—and this is not a Republican-Democrat thing. This is a Democratic Governor's DEP commissioner saying that it was ''an unnecessary, uncalled for political gesture.'' He went on to say that ''the combined administrative record developed throughout the history of mining regulation under SMCRA is totally devoid of any indication of a need for this radical rewrite of the regulations governing the way coal is mined in America.''

Other States have made comments as well. We had the Ohio Chief of Mineral Resources Management Lanny Erdos testify before our EPW Committee. ''OSM has not provided for meaningful participation with the cooperating or commenting agency States.''

Basically, these State regulators who were charged with the primacy of putting forward the water standards in their States and overseeing mining in their States were basically invited into the party and then put in another room and not listened to. Then, eight of them walked away. That has to tell you, this wasn't an even playing field and was probably a very insincere effort to include everybody's opinions.

In Wyoming, Todd Parfitt said: ''The failure to engage cooperating agencies throughout this process is reflected in the poor quality of the proposed rule.''

We have heard a lot about the empathetic voices of the job losses: 60,000 miners since 2011, many of them in my State. Many of these men and women who were making $80, $90,000 a year no longer have a job. They are living in communities that are decimated.

Our State is $500 million in the hole. We are trying to transition. We are trying to do the right thing, but rules like this that we are about to overturn through the CRA process are such an overreach of authority.

The EPA has already gotten slapped down by the Supreme Court for the match rule. They put a stay on the Clean Power Plan. There are definite questions as to the authorities that the past administration has put forward.

United Mine Workers of America President Cecil Roberts says: ''We are especially concerned with the long-term negative impact this rule is very likely to have on future longwall coal mining in the United States and associated employment impacts on our miners.''

We have heard about mountaintop removal. There is a strong belief that this will impact our underground mining as well. That is pretty much—I wish I knew the exact percentage, but I would say well over 70 or 75 percent of the mining and maybe more than that.

I hosted Senate committee field hearings centered on energy jobs in Beckley, Logan, and Morgantown. Bo Copley, a coal miner who lost his job, talked about the impact regulatory policies were having on him, his young family, his community, and his former colleagues.

We heard about the fact that the health and pension of our miners is in deep trouble. I have been very much on board. Senator MANCHIN and I have been working hard—along with Senator PORTMAN, Senator BROWN—with those more affected regions to make sure the health care and pensions of our miners are funded and that those miners know that the benefits that were promised will be there for them and their families. The promises made will be promises kept, but this downturn in the coal industry heavily affects the ability for the pension funds to be solvent and for the health benefits to be carried on. So there is a direct correlation between the overregulation we have seen and the effects in the health and pension funds.

The ranking member on the Energy Committee—and we just had a good conversation. I will paraphrase what she said: Sometimes I think we are sort of talking by one another. And I think maybe she is right in certain respects, and she mentioned the effect of natural gas on the coal industry. Yes, that has had an effect on the coal industry, but this rule that was proposed, rushed in at the last minute by the Department of Interior, would have an even more devastating effect than the combination of regulations to this point, the combination of the natural gas and market conditions.

So you ask: Oh, how rushed in was it if it was being worked on for 5 years?

Well, they didn't publish the rule until December 20, 2016, after the election—the election in which overregulation was one of the key factors that was discussed during the election and the effect on economies and businesses and the ability for American workers to continue to work hard and keep their jobs, but Americans rejected the continuation of these policies.

So they published the rule on December 20, 2016, and then it was made effective January 19, 2017.

What is January 19, 2017? It was the day before President Obama left office. There is no irony there at all, I don't think.

I am here to say that Senator MCCONNELL and I have put this forward. It is one of the first ones that has come forward in terms of the Congressional Review Act. Help is on the way, and the President will sign this. He has said in his Statement of Administration Policy: ''The administration is committed to reviving America's coal communities, which have been hurting for too long.''

Again, I can tell you about it. I could probably show you pictures of it. I live there. These are my friends. These are folks I see every day. I see them in the grocery store. And we have seen the effects in our region to the point of six of our counties are in deep, deep depressions.

So I want to congratulate the House of Representatives for passing this earlier today. I want to thank West Virginia Representatives DAVID MCKINLEY, EVAN JENKINS, and ALEX MOONEY for voting yes and getting a strong vote. I would like to thank Leader MCCONNELL for his leadership on this and the 27 other cosponsors of this bill.

Lastly, I would like to say, we heard the Senator from Hawaii talk about how this is really going to create jobs. Well, I found an article from the Wall Street Journal on December 20, 2016, and I am going to quote from it.

Interior's projections about the economic impact are laughable. OSM reckons the rule would cost a mere 124 coal mining jobs a year—

Whereas, other estimates are almost as much as one-third of the jobs—

but instead of visiting operating mines, the wizards at OSM built their estimates on computer models. They even reported a net gain in jobs—

And I think this is what the Senator from Hawaii was talking about—

as miners are replaced by workers implementing the rule.

Less mining but more workers—genius.

This reminds me a little bit of when we were talking about all of the regulatory burdens of Dodd-Frank, which I am sure we will be getting into in another CRA. I was on the Financial Services Committee over in the House for a long time, and we learned, when Dodd-Frank went into effect, within a year and a half, the largest growing profession was bank auditors. So the government has created jobs for bank auditors to put forward their rules. It sounds a lot like that is what OSM has done with this rule.

I would just like to close with this. We are going to move forward with this because it is important to our region. It is important to a lot of working people. It will not and does not in any form or fashion allow fowling of the water, fowling of our streams. There are protections that are carried forth through our State regulators who came to the table for this rule, who felt they were not being listened to and, over the course of 5 years, all drifted out. I don't think they were invited back. I am confident this will have an effect of saying: America, you voted to unleash the American economy, to let our regulators regulate, to let our clean water statutes move forward in conjunction with State and Federal regulators, to let Americans know that the Federal Government is not going to be reaching into every aspect of your life and it is going to result in losing your job, creating hopelessness, 72 teachers being laid off in my county last month because we have lost people, real estate values going down, and the loss of a valuable resource that leads to the strength and to the viability and to the security because energy security is security for our country, for our whole country.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I rise in opposition to this effort under the Congressional Review Act to block implementation of the stream protection rule.

CRA offers Congress an important tool, as we know, to consider potentially egregious rules that are promulgated usually at the end of Presidential terms. The stream protection rule, which we are considering this evening, is not one of those.

I live in a State—Delaware—whose citizens can be adversely affected by the upstream actions of others and border States whose citizens could be compromised by the things we do.

I take it as a matter of faith that we should treat other people the way we want to be treated. We call that the Golden Rule, and I know that not everyone shares my passion for the Golden Rule, even though it appears not just in my faith, those who happen to be Catholic or Protestant, Jewish, Muslim, Hindu, Buddhist—it appears in all faiths, the idea that we ought to treat other people the way we want to be treated.

I also believe the Federal Government should act to protect citizens from the harm of the actions that other citizens would do to them. This stream protection rule is, I believe, one of those actions.

I am a native West Virginian. I was born in Beckley, WV, a coal mining town in South Central West Virginia. I understand well the role coal mining has played in supporting families in my native State and communities there for longer than any of us can personally remember.

I also know that mining operations have had a devastating impact on the lives of those who have endured compromised drinking water and destroyed natural habitat, with a loss of the fish and wildlife that define the fabric of my native State and all other States.

This rule has been a long time coming, as we have heard this evening. Indeed, we are living with rules governing mining conduct that go back, I believe, as far as 30 years. It is time for an upgrade, and I think the rule before us is a sound, responsible, and carefully developed answer to that need.

In what is becoming an art form in this country, there are myths—some call them alternative facts—that are swirling around this rule. As ranking member and the senior Democrat on the Environment and Public Works Committee, I want to address a couple of them.

Some would attack this rule's provisions as redundant and inconsistent with State obligations under the Clean Water Act. I am also a former Governor and am keenly aware of the problems of inefficient governance and avoided at all costs conflicts between State agencies. It wasn't always easy, but we didn't need Federal actions to compound those frictions. I am happy to say that the drafters of this rule heard those concerns, and this rule promotes collaboration and coordination between mining and environmental agencies and clarifies their roles, preserving their authorities under the surface mining and clean water laws.

Both the EPA and the Army Corps of Engineers concurred with the final rules, and in doing so, EPA said: ''We have concluded that nothing in the Stream Protection Rule is inconsistent with the provisions of the Clean Water Act and that the final rule does not inhibit the EPA's Clean Water Act authority to require that surface mining activities comply with all applicable provisions of the Clean Water Act, particularly those provisions related to water quality.''

The EPA goes on to say: ''The final Stream Protection Rule incorporates measures to limit duplication and avoid inconsistency in the implementation of Surface Mining and Reclamation Act and Clean Water Act programs, while supporting complementary, comprehensive, and effective environmental reviews of proposed surface coal mining operations.''

Some would say that the stream protection rule allows the U.S. Fish and Wildlife Service to veto Surface Mining Control and Reclamation Act permits. That is not true. It is true that section 7 of the Endangered Species Act does require the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior to consult with the U.S. Fish and Wildlife Service if any action ''may affect'' listed terrestrial and freshwater species.

The stream protection rule allows permit applicants and regulatory authorities to achieve ESA compliance in a variety of ways but does not provide the Fish and Wildlife Service any veto authority over permits. Indeed, this past year, the Office of Surface Mining Reclamation and Enforcement and the Fish and Wildlife Service completed consultation under the Endangered Species Act, resulting in what is known as the 2016 Biological Opinion. This new Biological Opinion smooths the way for more efficient Endangered Species Act compliance, while providing important protections to industry and State regulators regarding possible impacts of mining operations on protected species.

I think it is important to note that if we kill this rule, that protection for industry and State regulators will go away. Let me repeat that. I think it is important to note that if we kill this rule, that protection for industry and State regulators will go away, and those players will have to resort to a more cumbersome case-by-case review under the Endangered Species Act for all activities that might affect protected species. That would be a shame for a struggling industry.

For those and a host of other reasons my colleagues will offer today, I urge a ''no'' vote on this resolution.

I thank the Presiding Officer, and I yield back my time.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Georgia.

NOMINATION OF NEIL GORSUCH

Mr. PERDUE. Mr. President, during the Presidential campaign last year, President Donald J. Trump promised the American people he would nominate an unwavering supporter of the U.S. Constitution to the Supreme Court. He has now kept that promise.

I personally applaud the President for nominating Judge Neil Gorsuch to serve on the U.S. Supreme Court. He is an outstanding choice. Throughout his career, Judge Gorsuch has been a stalwart, standing strong in support of the U.S. Constitution. He has repeatedly shown his commitment to our country's founding principles of economic opportunity, fiscal responsibility, limited government, and individual liberty. These principles have served to

make our Nation exceptional throughout our history. Each branch of government has the shared charge of preserving and protecting those rights for all Americans. Judge Gorsuch has had a remarkable career in both the public and private sectors and has demonstrated a keen understanding and appreciation of the law.

He has an outstanding academic record. He is an outsider to the political nonsense here in this town. He has an impeccable judicial record, and he is actually called a ''judge's judge'' in the Scalia mold. He is a mainstream judge.

Actually, when he was confirmed in his current position, he was confirmed by 11 Democrats who are still in this body today, including Senators LEE, FEINSTEIN, SCHUMER, and DURBIN. Clearly, Judge Gorsuch will honor the formidable and impressive legacy of defending the Constitution left by Justice Scalia.

Throughout last year, I and other Members in the Senate held our ground in saying that no nominee to the Supreme Court should be confirmed until after the Presidential election. We believed the American people deserved a voice in the process. We also knew that the hyper-partisanship and politics of a Presidential election cycle should never have any place in the nomination and confirmation of a Supreme Court Justice, which we all know is a lifetime appointment. The integrity of the advice and consent process, clearly spelled out in Article II, Section 2 of the Constitution, was at stake. In protecting the integrity of the sacred constitutional process, we did our job.

Our position was exactly the same, ironically, as held by former Vice President Biden, former Minority Leader Harry Reid, and others in earlier times and earlier debates.

Now that President Trump has announced his nomination, it is time to continue doing our job. I hope the minority leader and Members of the minority party will walk away from the hypocrisy they are already demonstrating this year.

Last June, the current minority leader tweeted: ''In order for justice to remain a pillar of this nation, we must have a functioning judicial branch. The [Supreme Court of the United States] must have nine [sitting Justices].'' Later that same month, the minority leader said before the U.S. Senate: ''Every day that goes by without a ninth Justice is another day the American people's business is not getting done.'' So why would the current minority leader and some of the Democrats in this body now say they will filibuster any nominee to the Supreme Court before even knowing who would be nominated?

The minority leader railed on the Senate floor. Yet last month he went on CNN and said: ''We absolutely would keep the seat open . . . we will fight it tooth and nail, as long as we have to.''

Again, this was before a nominee was even announced.

The political theater of 2016 has no place in the confirmation process this year. Now is the time to govern, not to engage in the far-off political theater of 2018 and 2020. As we move forward in this process, I hope the minority leader and my colleagues across the aisle will remember that. I hope they will put the integrity of the Constitution before the scope of their political ambition and their bitterness about last year's election outcome.

I would remind my colleagues across the aisle that Republicans put aside political theater to confirm two Justices to the Supreme Court under both President Obama and President Clinton. Now President Trump has nominated Neil Gorsuch, who is a principled judge who will put the Constitution of the United States and the rights of all Americans at the forefront of any decision he takes. Judge Gorsuch's record of service and his commitment to the Constitution is quite clear. I am looking forward to voting to confirm his nomination and to ensure that we have a fully functioning High Court.

I strongly urge my colleagues across the aisle to put aside their partisan self-interest and do what is right for our country. Our children and our children's children deserve nothing less.

TRAVEL BAN

Mr. President, I also would like to speak momentarily to the President's recent Executive order to strengthen our refugee screening process that he thinks will protect America, and I agree with him.

The minority leader's tear-jerking performance over the past weekend belongs at the Screen Actors Guild awards, not in a serious discussion of what it takes to keep America safe. Folks back home are fed up with Members of this body stirring up global hysteria to score political points.

Let's be clear. This temporary action is not a so-called Muslim ban, and no Muslim ban has been put into place. As a matter of fact, the five countries most heavily populated with Muslims around the world were not included in this temporary pause on movement. In fact, almost 90 percent of the world's Muslim population is not even remotely affected by this temporary pause.

The seven countries that were included in President Trump's Executive order—Iraq, Iran, Syria, Libya, Somalia, Sudan, and Yemen—were included for specific reasons. Each of these nations was previously identified by President Obama as posing national security threats to the United States.

This is not a target at any religion; it is simply a temporary pause in the movement of individuals from nations of concern in order to assess whether our current screening system is in the best possible shape to protect Americans. I am apoplectic that Members of the minority party and the former President of the United States would actually say or imply otherwise. Their comments encouraging civil unrest and disobedience are both deplorable and unacceptable.

The failed foreign policy of President Obama in Syria and the broader Middle East has made the world more dangerous than at any time in my lifetime and has helped to create the current refugee crisis around the world. We are at war with ISIS, and we know they have identified and targeted our refugee system as a point of weakness. They have already exploited the refugee systems of nations in Europe, carrying out terrorist attacks and killing innocent people.

It would be malfeasance for our President not to take action and immediately review our current screening process to ensure we are helping those in need and keeping terrorists out. This temporary pause will allow us to assess our current screening process and strengthen it as needed. Moving forward, the implementation of this temporary pause must be efficient and effective.

During this screening review period, we should avoid overreacting to the responsible steps that have been taken to prioritize the protection of all Americans. It is totally irresponsible and ridiculous for the minority leader, Members of this body, the former President, President Obama, and others to suggest that it is anything other than a rational, responsible step to keep America safe and deal with the ISIS threat once and for all.

I yield my time.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I know my colleague from Oregon is around somewhere and wanted to speak on this rule, and when he shows up on the floor, we will certainly give him the time to do so. I want to make a couple of points while we are waiting for him.

First, in this discussion here with my colleagues, there is some discussion and I guess the start of what will be a continuing theme that somehow, if you get rid of regulations, we are going to restore competitiveness to the U.S. economy. Nothing could be further from the truth.

If you ask businesses what we need to do to be competitive as a country, they will say: Make sure we have a great education system. Make sure we invest in R&D. Let's develop new technology.

If we look at where businesses are locating, they want to locate in beautiful, pristine places because they know that is where their employees will want to locate. So, first of all, that somehow the government is going to restore the economy by deregulating and letting polluters pollute is just not correct. It is not what America wants. What people want is to have safe drinking water, and they want an outdoor economy that is supported by having a great environment.

So I want to say a couple of other things. Obviously, this rule that we are talking about and that has been developed over a long period of time is an

improvement over the 1983 rule because it gives us a better idea on the pollution that is happening. Now, if people don't want to know that information, I guess that is OK. The court, counter to what my colleague from West Virginia said, did not say that it was suspending the rule. It said that it was still in effect, that the pollution had to be cleaned up. It said: Come back and look at the economic impact. But somehow, some are saying that the Supreme Court decision on the MATS rule gave EPA and others a get-out-of-jail-free card; you don't have to look at pollutants. They have to look at pollutants.

So what is this issue about? It is about clean water.

Mr. President, I wish to enter into the RECORD a couple of articles that I have seen from constituents. My colleague from West Virginia mentioned a few people. These are the real people in America who want this.

One of them is a gentleman named Ben Kurtz, who happens to be from Grand Junction, CO. This is what he says:

It's often said that drag is a fly fisherman's greatest enemy. The truth, however, is that a wet fly or heavy drag is irrelevant if you don't have clean water to fish. Our lakes, rivers, streams and the fish that inhabit them are all extremely sensitive to pollution. And right now, many of these streams all across our country are being threatened by dirty groundwater stemming from coal mines.

Despite this, it's been nearly a decade since the Department of Interior has updated its Stream Protection Rule—an inadequate, Reagan-era regulation governing impacts to waterways from coal mining which was weakened even further under the Bush administration.

For the last six years, DOI has been engaged in the process of updating and gathering input on the rule, with the ultimate goal of revising it to make it more effective, in line with the challenges our waters face today as well as the law Congress passed in the 1970s to create it. While it has been a long time coming, that process now appears to be coming to a close.

Once finalized, the revised rule would establish common-sense new protections that would safeguard the health of our waterways, and by extension, the communities that are impacted by them. For example, the rule would strengthen baseline requirements for water quality testing to ensure that coal mining operations are not polluting streams in a manner similar to that of the old hardrock mines throughout the West.

In addition, the revised standards would require coal mines to develop a plan for how to protect fish and wildlife while also putting in place measures that will reduce impacts on habitats and improve reclamation of mines that have shuttered.

I mentioned earlier as a side note to this letter that we have 250 such mines in our State.

These proposed changes are just common sense: The rule is low-cost (independent analysts have calculated that the safeguards would cost between 1 and 60 cents per ton of coal that's mined) and while the revisions are expected to result in cleaner waters and improved public health, its impact on jobs will be slim to none.

Still, the issuing of a strong final Stream Protection Rule is not a foregone conclusion, as the coal industry is intent on maintaining the status quo. Were that to transpire it would mean streams that are at greater risk of being polluted with coal mine waste and runoff.

Taking all of this into account, it's clear that whether you're a fly fisherman or not, the revised rule is something we should all support. Cleaner waters not only mean better fishing but cleaner and healthier communities too.

Speaking on behalf of my fellow fly fishermen, I applaud the Department of the Interior for its ongoing efforts to enact sensible safeguards that protect the federal lands we all support and enjoy. It's time for DOI to push the Stream Protection Rule update across the finish line so we fishermen—

Obviously, this letter was written before that—

can go back to worrying about the little things—like what color fly to cast—rather than fretting over groundwater pollution that threatens our vibrant ecosystems and jeopardizes our health.

Well, I think Mr. Kurtz said it the best.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

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

PROTECTION FOR OUR RIVERS AND STREAMS IS LONG OVERDUE

(By Ben Kurtz)

It's often said that drag is a fly fisherman's greatest enemy. The truth, however, is that a wet fly or heavy drag is irrelevant if you don't have clean water to fish. Our lakes, rivers, streams and the fish that inhabit them are all extremely sensitive to pollution. And right now, many of these streams all across the country are being threatened by dirty groundwater stemming from coal mines.

Despite this, it's been nearly a decade since the Department of Interior has updated its Stream Protection Rule—an inadequate, Reagan-era regulation governing impacts to waterways from coal mining which was weakened even further under the Bush administration.

For the last six years, DOT has been engaged in the process of updating and gathering input on the rule, with the ultimate goal of revising it to make it more effective, in line with the challenges our waters face today as well as the law Congress passed in the 1970s to create it. While it has been a long time coming, that process now appears to be coming to a close.

Once finalized, the revised rule would establish common-sense new protections that would safeguard the health of our waterways, and by extension, the communities that are impacted by them. For example, the rule would strengthen baseline requirements for water quality testing to ensure that coal mining operations are not polluting streams in a manner similar to that of the old hardrock mines throughout the West.

In addition, the revised standards would require coal mines to develop a plan for how to protect fish and wildlife while also putting in place measures that will reduce impacts on habitats and improve reclamation of mines that have shuttered.

These proposed changes are just common sense: The rule is low-cost (independent analysts have calculated that the safeguards would cost between 1 and 60 cents per ton of coal that's mined) and while the revisions are expected to result in cleaner waters and improved public health, its impact on jobs will be slim to none.

Still, the issuing of a strong final Stream Protection Rule is not a foregone conclusion, as the coal industry is intent on maintaining the status quo. Were that to transpire it would mean streams that are at greater risk of being polluted with coal mine waste and runoff.

Taking all of this into account, it's clear that whether you're a fly fisherman or not, the revised rule is something we should all support. Cleaner waters not only mean better fishing but cleaner and healthier communities too.

Speaking on behalf of my fellow fly fishermen, I applaud the Department of Interior for its ongoing efforts to enact sensible safeguards that protect the federal lands we all support and enjoy. It's time for DOT to push the Stream Protection Rule update across the finish line so we fisherman can go back to worrying about the little things—like what color fly to cast—rather than fretting over groundwater pollution that threatens our vibrant ecosystems and jeopardizes our health.

Ms. CANTWELL. Mr. President, I can read others, but these are the people who are concerned about this rule. These are the individuals who want to know whether we are going to do our job and to say that polluters must pay. I believe that if we have the technology and the rules to do that, why would miners object? Why would the mining industry object to having the correct information?

I will read another letter from a Montana rancher this time.

As a long-time rancher of north of Billings, water supply has been a 70-year-old struggle for my ranch. The coal industry has posted a threat to my water supply since the 1970s, and more recently increased mining, spurred by fast-growing markets and the export to Asia, which has sparked water damage across the West. The limited water we are talking about in the West makes it doubly valuable and in need of protection. As the saying goes: ''Whiskey is for drinking and water is for fighting.'' So it is absolutely essential that we protect the water we have, and sometimes that means a stronger rule from the Federal Government.

Most cattle ranchers in the Bull Mountains where I live rely on a combination of wells and natural springs to water our livestock. And like other nearby operations, my ranch is currently being literally undermined by coal mines using massive and destructive long wall machines that make it difficult for efficient mining because of surface disruptions, impairing coal aquifers, subsiding recharge areas, and they pull surface streams underground. I can think of no industry that degrades water in such a reckless and cavalier way as the coal industry. From acid mine drainage and thousands of mines' buried headwaters across Appalachia, to eating streams on the prairie that are destroying wells and springs in Montana's Bull Mountain.

While Montana surface mining laws require reclamation of the area over long mines, reclamation is a slow and uncertain process, and water in the existing mines in Montana has not been reclaimed, according to the bond-released statistics. These proposals for mining are to be included along these rivers and even moving along tributaries, to get it out of the way of coal mining. In Wyoming, Angelo Creek is slowly being eaten by a coal mine. With all of it as a backdrop, I am happy to see the proposal by the Department of the Interior to update this regulation put in place over 30 years ago.

So the proposed Stream Protection Rule would safeguard communities from destructive coal mining practices and keep pace with our current science and modern mining practices. These new rules would minimize impacts to surface and groundwater such as springs on my property by requiring companies to avoid mining practices that permanently pollute and diminish streams, requiring coal companies to test and monitor the conditions of streams that their mining might impact before and during and after operations.

The proposed rule would also require companies to restore streams and other waters that they were using and that were capable of supporting, like in the ranching area, prior to the mining activities. The Department of the Interior could also improve parts of the stream protection rule by providing technical assistance.

It is very well to have good standards and test these out in rules, but if they are poorly implemented on the ground and over time, the results will be like no rule. So the Interior Department's work to update and modernize these decade-old rules and regulations is absolutely essential if we are going to keep a bad situation from getting worse. Clean water in the West is too precious to let coal companies pollute it or diminish it.

This happens to be from a woman named Ellen Pfister who has a cattle ranch in the Bull Mountains area of Shepherd, MT.

So these are just two examples of people who really want to see us do something. Why? Because clean water is so important to them. It is so important to the outdoor economy, and it is important to this particular rancher who wants to make sure that clean water is an aspect of their farming.

There are a couple of other points I wanted to make about the rule and this notion that somehow overregulation has destroyed the pension program. It is so amazing that here in the Senate, somebody thinks that overregulation could blow that big of a hole into the pension program. The pension program had a more than 23-percent drop in the implosion of the economy in 2008 and 2009. So that kind of hole was there before this process. It is sad that now miners who are going to reach a retirement age won't have a pension to retire on. I think it is appalling that we bailed out Wall Street and we don't want to help with a pension program that basically took a major hit during the downturn. What are we saying to people? We don't care about those pensions, but we will turn over the keys to the Treasury to someone else?

So the notion that, somehow, standing up for clean water is equated with the pension program is just not true. We support those workers. We will do anything to help them from all aspects of that picture, including giving them a pension and making sure they have health care and retirement. We have had that discussion, and many of my colleagues had that discussion here late into the night just at the end of last year. I am sure that we are waiting for a response from Leader MCCONNELL as to when he is going to put that kind of legislation on the Senate floor. But, unfortunately, what we have instead is a rule trying to hold back making sure that we have safe drinking water, safe fishing water, and an outdoor economy that can count on these things.

I thank my colleague from Hawaii for being here earlier and talking about this issue, as well as my colleague who is the ranking member from the EPW committee, Senator CARPER from Delaware, making an eloquent statement and talking about the West Virginia economy, as he is a native of West Virginia, and now my colleague from Oregon, who is also addressing this issue. I appreciate their coming to the floor tonight and being part of this discussion.

This is so important to all of us and really to all of our country. I think making sure that people understand how important clean water is to various aspects is so important. So I thank my colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate the comments just delivered by my colleague from Washington State. Our two States are roughly the same size. They have similar amounts of coastline. We have citizens who share a lot of perspective on the country and that may be apparent in the comments I am about to make.

Mr. President, from our earliest days, long before the Founding Fathers gathered in Philadelphia to declare that 13 disparate colonies were united and ''absolved from all allegiance to the British Crown'' and long before they sought to ''form a more perfect Union,'' our streams, our rivers, and our lakes have been the economic lifeblood of our Nation. They have supported commerce and trade, fishing and agriculture. They have facilitated the ability to travel the vastness of this continent. They have sustained our growing communities and served as critical resources for public health.

It is no wonder, then, that generations of Americans have worked incredibly hard to protect these natural resources to keep them clean and safe. That is why here, in the Senate and in the House, in 1972, we passed the Clean Water Act that formed the foundation for our Nation's water regulations. It is why, 2 years later, the House and Senate developed and passed the Safe Drinking Water Act, to make sure that public drinking water supplies are safe throughout the Nation.

I recall the impact of these acts in my home State of Oregon. The Klamath River was considered extraordinarily polluted. You could boat down it and see pipes dumping into it at regular intervals. Then, over time, as the State worked hard to identify those pipes, remove those pipes, and make sure that all pollution went through water treatment, the river got better. It got healthier.

Now, it is not without its problems. Its problems still exist. There is still nonpoint pollution that affects life in the stream. But it is a far more beautiful and far healthier river than it was before we passed the Clean Water Act.

We have proceeded to be fairly fierce about our enforcement. We have prosecuted polluters who have bypassed the law and dumped the results of their processes directly into our streams and our waterways. We have worked to protect wetlands, and we have worked to protect estuaries, understanding more and more about the role these various bodies of water play in our economy and play in our natural system and making sure they can continue to play that role so that we have a sustainable environment, one that is not at war with our economy.

We have made the two work very well together, and we have accomplished all this through the debate and dialogue that we have had in the Senate and in the House and that the experts have brought to bear in our committee hearing rooms. We have accomplished it through the testimony of concerned citizens across the Nation who have identified one particular problem or another problem and have brought those challenges to us here in this body, and we have worked to address them. If you have ever visited a nation that didn't have this kind of process and seen the intense, incredible pollution of its waterways, then you know what a difference it makes to have this public process. I invite you to visit China and see what happens when there is no public process for taking into account and rectifying the challenges when industrial waste is simply dumped into our waterways.

We take a lot of pride in protecting our streams, our rivers, and our lakes. That process has continued over these past years at the Department of the Interior, where the Office of Surface Mining Reclamation and Enforcement was working on the stream protection rule.

I am going to show a picture to give some scale to the type of mining that the Department of the Interior, Office of Surface Mining Reclamation and Enforcement was trying to address. We see here the little tiny tractor. This is actually a massive tractor dwarfed by the scale of this massive mine. Indeed, in many cases, the entire top of the mountain is blown off to get at the coal seams underneath. In the process, a tremendous amount of rock debris is created and a tremendous amount of fracturing that can lead to water that moves through the water table eventually finds its way into streams.

The goal has been to find a way that this type of mining can be done in respectful balance with the streams that are further down the mountainside. That is the challenge, and it wasn't easy to address. That is why this rule has been under development for 7 years, from 2009 right up through December of 2016—virtually the entire length of the Obama administration. During this period of consideration, there have been multiple reiterations of what the rule could look like and

what actually works in the real world, with stakeholder after stakeholder after stakeholder saying: This is what you have to do to make it work. The goal was that this type of mining would be done, but not in a fashion which would destroy the streams. That is why it took so much hard work to do this.

There were hundreds of hours of meetings, responses to over 114,000 comments on the rule. But here we are in the evening, with little attention being paid by the vast bulk of Senators spending just a couple hours and planning to undo this work.

Under the Senate rules under the Congressional Review Act, we have just 10 hours of debate. Some of that can be yielded back by one side or the other, so maybe it will only be a few hours of debate. In those few hours, we hold in our hands the fate of the streams downstream from this mining. This is the premise: Will they conduct this mining in a fashion and followup with restoration to protect the streams that will otherwise be devastatingly impacted?

I am going to say yes. Let's take to heart the 100,000-plus hours of work or the 114,000 comments and the multitude of meetings over 6 years, the work of professionals who talked to every stakeholder. Let's take to heart their work and not undo it in just an hour or two here on the floor.

The Senate works in a way now that, even with something that has such a profound impact, Senators aren't here listening to each other; thus, we are not sharing our thoughts back and forth the way the old Senate used to debate. It is almost in silence that we are undoing or potentially undoing all of this work. Shouldn't we be celebrating that so many folks came together to craft a strategy that would not cause this type of mining to destroy the down-mountain streams?

Let me show an example of what a down-mountain stream looks like. This is a stream that probably ran blue not too long ago. It now runs orange. It is full of toxic metals and who knows what. I rather doubt that any Member of the Senate would volunteer to go and take a cup of water from this stream and drink it. We can just look at it and know it is deadly.

So we are trying to keep in place a rule carefully crafted so this stream—which not so long ago ran blue or ran turquoise or deep green because it was a natural stream without this devastating pollution—will stay in that natural state. That is the goal. That is the point of this rule.

I want to be very clear that the stream protection rule is designed to enable mining and stream sustainability to go hand-in-hand. Coal mining is changing in America. It has adopted a number of practices that have made it safer. Machinery has also gotten bigger in ways that mean far fewer people are employed in it. It is also changing because the economies of the energy market are changing. We see that natural gas prices have dropped so low that many utilities are shutting down their coal plants and they are opening up natural gas plants or they are investing in wind or solar renewables. But we need to recognize that for 150 years coal mining families have worked incredibly hard, at great personal risk to their health, to put meals on their tables and to provide power to our Nation. So let's have this conversation about protecting our streams with a full respect for the mining economy and the families that have put their lives at stake and worked to put food on the table.

There is no reason we can't do what we have done in so many other parts of our economy to make the industrial process or the manufacturing process or the mining process be one that works in harmony with our environment, instead of at odds with the environment. That is the goal of the stream protection rule. It updates our 30-year-old coal mining regulations to better reflect the industry as it is today, in 2017.

The fact is, we know a great deal more about the impacts of various coal mining processes on both the people and communities and environment—much more now than we did when most of the regulations were put together decades ago. We know that when we use explosives to blast the summit of a mountain as is done in mountaintop removal, everything gets blasted up into the air and pushed down into the valleys where it ends up in rivers and streams. What is the result of that? If that newly blasted rock doesn't block the flow of the river and streams entirely, it is still in constant contact with them, leaching out pollutants into the water, and those pollutants include things like heavy metals and other toxics that pose enormous threats to the region's fish and to the plants and to the animals and, yes, even to the people who live downstream. There are pollutants like selenium, a metalloid that is toxic to fish even at a very low level, causing deformities, causing reproductive failures, causing death.

One way to tell the health of a stream is that it has life in it, but I doubt anyone would come out and say: Last year, I fished here when this was a blue-green stream, but this year I am not because with one glance at this stream, you know all the fish are dead.

There are other pollutants like cadmium, a pollutant that is not safe at any level and has been tied to cancer in humans. So as cadmium goes down into water, flows into the streams and cities and small towns further down, it adds to the health risks of the folks living in the areas.

Waste dumps called valley fills are left in place even when the mining is completed and the company moves on. We know that the rubble from mountaintop mining is impacting our streams and waterways because we have measured it. According to the Environmental Protection Agency's statistics, valley fills from mountaintop removal are responsible for burying 2,000 miles of vital Appalachian headwater streams. Now, 2,000 miles is a lot of streams. Picture 2,000 miles of a blue-green stream reduced not just to a toxic red stream but to no stream at all because it has been completely covered and eliminated. That is a lot of fishing holes that are gone forever.

In addition to that, we know the fish populations downstream have been reduced by two-thirds from the places where mountaintop removal is occurring.

We know that communities nearby are contending with contaminated drinking water and that babies are being born with higher rates of birth defects. I think about the birth of my two children. Like every parent, we pray and hope that the child is going to be born free of birth defects.

So this rule is about something very close to our hearts. For some, it is the beauty of natural streams. For some, it is the opportunity to fish and see wonderful natural places. But for others, it comes straight to the question of whether their children are going to be born with birth defects. At the other end of life, we see downstream elevated levels of lung cancer, elevated levels of heart disease, elevated levels of kidney disease, elevated levels of hypertension.

So I ask: Is it right that here, in the dark of night, with just a few hours of discussion and virtually no one here in the Senate Chamber, we are going to undo 7 years of work designed to reduce birth defects, reduce lung cancer, reduce heart disease, reduce kidney disease, reduce hypertension, reduce contaminated drinking water?

In just a few short hours, we will be making a decision that will result in an impact on thousands of people, as well as thousands of miles of streams. The stream protection rule is pretty straightforward in its design. I will give a few details about what it is intended to do.

One is that it improves construction standards for waste piles. What is a waste pile? Well, it is pretty much what it sounds like. It is a pile built from accumulated rock waste that is removed when you do mountaintop mining. Why do we need to improve their construction? Because these piles grow to enormous size. They can involve millions and millions of tons of rock and debris. Over time, erosion in the soil around them can create dangerous, unstable slopes that can eventually produce landslides. So how you design it matters. These coal piles can have high levels of coal dust or hydrocarbons. And then there is the acid rock drainage. As water comes down in rain and it percolates down through these, it ends up seeping out into the groundwater or into the stream and poisoning the groundwater or poisoning the stream.

That is why it matters how you have a construction standard for a waste pile. Isn't it smart to have such a standard in place and one that has been developed over hundreds of meetings over 6 years so that mining is much more compatible with clean streams and healthy people?

Another thing this rule does is it enhances restoration by strengthening bonding requirements. It is not unknown, unfortunately, that coal miners would just abandon the mine once their operations were finished, leaving all sorts of undone business that adds to the enormous contamination that even a small amount of mining can do.

In 1977, Congress passed a law saying that miners needed to restore the land after their mining operation was completed and that they needed to provide a bond up front to pay for the cleanup cost just in case the company decided it didn't want to follow through on the cleanup after it completed extracting the coal. Strengthening that and making sure the bonding process actually works right, that the bond is actually there to do the cleanup, makes a lot of sense.

Years ago, I was immersed in first developing housing with Habitat for Humanity and then building affordable multiplexes for a nonprofit, Human Solutions. Companies that were being paid to do their work had a construction bond. The bond made sure that if the company somehow disappeared in the middle of the night, the work was going to get done. That bond was very important to the nonprofit, that what they were investing in—the payments they made were actually going to result in what was contracted to be delivered. That is the same thing here. A company that comes in and says: We got permission to mine—it is saying to the public, with a good bonding system, yes, you can be confident that the cleanup work will be done. That needed to be strengthened because often it is not done. That is another piece of this puzzle.

Then there is another piece that is related to coal slurry and reducing the odds of coal slurry causing a lot of damage. Coal slurry is liquid waste generated when mined coal is washed off. You have a lot of water that is thickened with debris from washing the coal, and it can be held in a basin, but if the walls of that basin fail and that coal slurry gets into the streams, it does massive damage.

That transpired in Martin County, KY, 16 years ago. An estimated 306 million gallons of slurry spilled into two tributaries of the Tug Fork River. How much is 306 million gallons? It is a lot of swimming pools, almost more than you can imagine. Another way to look at it is it is 30 times larger than the *Exxon Valdez* oilspill, one of the worst environmental disasters ever.

There it is. It was a big, massive pond that spilled into the forests and into the rivers in that situation in Martin County. Overnight, one of the tributaries, the Coldwater Fork, a 10-foot-wide stream, became 100 yards of slurry. In some places, the spill was over 5 feet deep. It spread out and covered people's yards on the banks. Hundreds of miles of the Big Sandy River were polluted as a result as the stuff washed down the stream. The Ohio River was polluted. The water supply for 27,000 people was contaminated.

It is not that it has just happened once; it has happened other times. It happened in Buffalo Creek Hollow, WV, in 1972. In that case, it was 132 million gallons of slurry. That is about a third of the size of the other spills, so I guess you could say that instead of being 30 times *Exxon Valdez*, it was only 10 times *Exxon Valdez*. But it did a lot of damage. It created a wave going downstream that was 30 feet high. Can you imagine how much material is required to create a wave of—a flash flood of coal slurry 30 feet high? This didn't happen away from human civilization; this wave of coal slurry killed 125 people. This wave of toxic coal slurry hit and injured over 1,000 more people—1,121 more people. It left 4,000 people homeless, wiped out their homes and their towns.

That is the type of damage that can occur, so why not have a rule that has looked at how these ponds are created and said, here is a standard so that the pond is not overloaded or overtopped or the wall does not collapse and cause a tidal wave that will kill more than 100 people or injure more than 1,000 or leave 4,000 people homeless. Having a standard is the logical thing to do. It helps the companies because then they know exactly what they need to do to make that pond safe.

Those are some examples of what is in this rule.

I think it is important to understand another factor. This rule requires careful mapping before the mining is done so that the restoration process can be held accountable to restore the contours that existed previously, or as close as you can get. Without an understanding of what the land looked like beforehand, it is hard to say what it should look like when it is restored.

Those are commonsense measures. That is it. Common sense. Common standards for safety, for protection of the streams and the wildlife and the people. Isn't that what we should be all about? Shouldn't we not be undoing that, as we will be in a couple of hours, in a deserted Senate Chamber in the middle of the night? That is wrong.

If you want to change these standards—and I say this to my colleagues, and I know many do care a great deal about the environment—then have the courage to do it in daylight. Have the courage to do it in a committee. Have the courage to invite the public in to testify. But here we are tonight, hiding from the population across America, undoing this important work for the safety of our people. That is wrong.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, it is my understanding that the Senator will take us through the closing script, and as a part of that, I will be recognized in the order to make my remarks.

With that understanding, I yield the floor.

What if I suggest that I begin my remarks, that you give me the high sign whenever the closing script is prepared—it is. Never mind.

I yield the floor.

The PRESIDING OFFICER. This is the high sign.

Mr. WHITEHOUSE. The high sign has been received.

The PRESIDING OFFICER. The Senator from Colorado.

MORNING BUSINESS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

VOTE EXPLANATION

Mr. DURBIN. Mr. President, I was necessarily absent for the votes on the motion to proceed to legislative session and the motion to procced to a joint resolution disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, H.J. Res. 38.

On vote No. 41, had I been present, I would have voted ''nay'' on the motion to proceed to legislative session.

On vote No. 42, had I been present, I would have voted ''nay'' on the motion to proceed to H.J. Res. 38.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

RULES OF PROCEDURE

Mr. ROBERTS. Mr. President, the Committee on Agriculture, Nutrition, and Forestry has adopted rules governing its procedures for the 115th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator STABENOW, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

RULES OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

115th Congress

RULE I—MEETINGS

1.1 Regular Meetings.—Regular meetings shall be held on the first and third Wednesday of each month when Congress is in session.

1.2 Additional Meetings.—The Chairman, in consultation with the ranking minority member, may call such additional meetings as he deems necessary.

1.3 Notification.—In the case of any meeting of the committee, other than a regularly scheduled meeting, the clerk of the committee shall notify every member of the committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, DC, and at least 48 hours in the case of any meeting held outside Washington, DC.

1.4 Called Meeting.—If three members of the committee have made a request in writing to the Chairman to call a meeting of the committee, and the Chairman fails to call such a meeting within 7 calendar days thereafter, including the day on which the written notice is submitted, a majority of the members may call a meeting by filing a written notice with the clerk of the committee who shall promptly notify each member of the committee in writing of the date and time of the meeting.

1.5 Adjournment of Meetings.—The Chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within 15 minutes of the time scheduled for such meeting.

RULE 2—MEETINGS AND HEARINGS IN GENERAL

2.1 Open Sessions.—Business meetings and hearings held by the committee or any subcommittee shall be open to the public except as otherwise provided for in Senate Rule XXVI, paragraph 5.

2.2 Transcripts.—A transcript shall be kept of each business meeting and hearing of the committee or any subcommittee unless a majority of the committee or the subcommittee agrees that some other form of permanent record is preferable.

2.3 Reports.—An appropriate opportunity shall be given the Minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the Majority to examine the proposed text prior to filing or publication.

2.4 Attendance.—(a) Meetings. Official attendance of all markups and executive sessions of the committee shall be kept by the committee clerk. Official attendance of all subcommittee markups and executive sessions shall be kept by the subcommittee clerk. (b) Hearings. Official attendance of all hearings shall be kept, provided that, Senators are notified by the committee Chairman and ranking minority member, in the case of committee hearings, and by the subcommittee Chairman and ranking minority member, in the case of subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

RULE 3—HEARING PROCEDURES

3.1 Notice.—Public notice shall be given of the date, place, and subject matter of any hearing to be held by the committee or any subcommittee at least 1 week in advance of such hearing unless the Chairman of the full committee or the subcommittee determines that the hearing is noncontroversial or that special circumstances require expedited procedures and a majority of the committee or the subcommittee involved concurs. In no case shall a hearing be conducted with less than 24 hours notice.

3.2 Witness Statements.—Each witness who is to appear before the committee or any subcommittee shall file with the committee or subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony and as many copies as the Chairman of the committee or subcommittee prescribes.

3.3 Minority Witnesses.—In any hearing conducted by the committee, or any subcommittee thereof, the minority members of the committee or subcommittee shall be entitled, upon request to the Chairman by the ranking minority member of the committee or subcommittee to call witnesses of their selection during at least 1 day of such hearing pertaining to the matter or matters heard by the committee or subcommittee.

3.4 Swearing in of Witnesses.—Witnesses in committee or subcommittee hearings may be required to give testimony under oath whenever the Chairman or ranking minority member of the committee or subcommittee deems such to be necessary.

3.5 Limitation.—Each member shall be limited to 5 minutes in the questioning of any witness until such time as all members who so desire have had an opportunity to question a witness. Questions from members shall rotate from majority to minority members in order of seniority or in order of arrival at the hearing.

RULE 4—NOMINATIONS

4.1 Assignment.—All nominations shall be considered by the full committee.

4.2 Standards.—In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated.

4.3 Information.—Each nominee shall submit in response to questions prepared by the committee the following information: (1) A detailed biographical resume which contains information relating to education, employment, and achievements; (2) Financial information, including a financial statement which lists assets and liabilities of the nominee; and (3) Copies of other relevant documents requested by the committee. Information received pursuant to this subsection shall be available for public inspection except as specifically designated confidential by the committee.

4.4 Hearings.—The committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office. No hearing shall be held until at least 48 hours after the nominee has responded to a prehearing questionnaire submitted by the committee.

4.5 Action on Confirmation.—A business meeting to consider a nomination shall not occur on the same day that the hearing on the nominee is held. The Chairman, with the agreement of the ranking minority member, may waive this requirement.

RULE 5—QUORUMS

5.1 Testimony—For the purpose of receiving evidence, the swearing of witnesses, and the taking of sworn or unsworn testimony at any duly scheduled hearing, a quorum of the committee and the subcommittee thereof shall consist of one member.

5.2 Business.—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

5.3 Reporting.—A majority of the membership of the committee shall constitute a quorum for reporting bills, nominations, matters, or recommendations to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members are physically present. The vote of the committee to report a measure or matter shall require the concurrence of a majority of those members who are physically present at the time the vote is taken.

RULE 6—VOTING

6.1 Rollcalls.—A roll call vote of the members shall be taken upon the request of any member.

6.2 Proxies.—Voting by proxy as authorized by the Senate rules for specific bills or subjects shall be allowed whenever a quorum of the committee is actually present.

6.3 Polling.—The committee may poll any matters of committee business, other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public, provided that every member is polled and every poll consists of the following two questions: (1) Do you agree or disagree to poll the proposal; and (2) Do you favor or oppose the proposal. If any member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the committee shall keep a record of all polls.

RULE 7—SUBCOMMITTEES

7.1 Assignments.—To assure the equitable assignment of members to subcommittees, no member of the committee will receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignment to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

7.2 Attendance.—Any member of the committee may sit with any subcommittee during a hearing or meeting but shall not have the authority to vote on any matter before the subcommittee unless he or she is a member of such subcommittee.

7.3 Ex Officio Members.—The Chairman and ranking minority member shall serve as nonvoting ex officio members of the subcommittees on which they do not serve as voting members. The Chairman and ranking minority member may not be counted toward a quorum.

7.4 Scheduling.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee business meeting may be held at the same time.

7.5 Discharge.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the Chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition. 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.

7.6 Application of Committee Rules to Subcommittees.—The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 8—INVESTIGATIONS, SUBPOENAS AND DEPOSITIONS

8.1 Investigations.—Any investigation undertaken by the committee or a subcommittee in which depositions are taken or subpoenas issued, must be authorized by a majority of the members of the committee voting for approval to conduct such investigation at a business meeting of the committee convened in accordance with Rule 1.

8.2 Subpoenas.—The Chairman, with the approval of the ranking minority member of the committee, is delegated the authority to subpoena the attendance of witnesses or the

production of memoranda, documents, records, or any other materials at a hearing of the committee or a subcommittee or in connection with the conduct of an investigation authorized in accordance with paragraph 8.1. The Chairman may subpoena attendance or production without the approval of the ranking minority member when the Chairman has not received notification from the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph the subpoena may be authorized by vote of the members of the committee. When the committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other member of the committee designated by the Chairman.

8.3 Notice for Taking Depositions.—Notices for the taking of depositions, in an investigation authorized by the committee, shall be authorized and be issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the Senator, staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a committee subpoena.

8.4 Procedure for Taking Depositions.—Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. The Chairman will rule, by telephone or otherwise, on any objection by a witness. The transcript of a deposition shall be filed with the committee clerk.

RULE 9—AMENDING THE RULES

These rules shall become effective upon publication in the Congressional Record. These rules may be modified, amended, or repealed by the committee, provided that all members are present or provide proxies or if a notice in writing of the proposed changes has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. The changes shall become effective immediately upon publication of the changed rule or rules in the Congressional Record, or immediately upon approval of the changes if so resolved by the committee as long as any witnesses who may be affected by the change in rules are provided with them.

SPECIAL COMMITTEE ON AGING

RULES OF PROCEDURE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Special Committee on Aging, having adopted rules governing its procedures for the 115th Congress, have a copy of their rules printed in the RECORD, pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate.

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

SPECIAL COMMITTEE ON AGING

COMMITTEE RULES 115TH CONGRESS

JURISDICTION AND AUTHORITY

A.1. There is established a Special Committee on Aging (hereafter in this section referred to as the ''special committee'') which shall consist of nineteen Members. The Members and chairman of the special committee shall be appointed in the same manner and at the same time as the Members and chairman of a standing committee of the Senate. After the date on which the majority and minority Members of the special committee are initially appointed on or affect the effective date of title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs in the Membership of the special committee, the number of Members of the special committee shall be reduced by one until the number of Members of the special committee consists of nine Senators.

2. For the purposes of paragraph I of rule XXV; paragraphs 1, 7(a)(1)–(2), 9, and 10(a) of rule XXVI; and paragraphs 1(a)–(d), and 2(a) and (d) of rule XXVII of the Standing Rules of the Senate; and the purposes of section 202(I) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

B.1. It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to problems and opportunities of older people, including, but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

2. The special committee shall, from time to time (but not less than once year), report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendation as it considers appropriate.

C.1. For the purposes of this section, the special committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the serve of individual consultants or organizations thereof (as authorized by section 202(I) of the Legislative Reorganization Act of 1946, as amended) and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

2. The chairman of the special committee or any Member thereof may administer oaths to witnesses.

3. Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any Member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the Member signing the subpoena.

D. All records and papers of the temporary Special Committee on Aging established by Senate Resolution 33, Eighty-seventh Congress, are transferred to the special committee.

RULES OF PROCEDURE

I. Convening of Meetings

1. Meetings. The Committee shall meet to conduct Committee business at the call of the Chairman. The Members of the Committee may call additional meetings as provided in Senate Rule XXVI(3).

2. Notice and Agenda:

(a) Written or Electronic Notice. The Chairman shall give the Members written or electronic notice of any Committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(b) Shortened Notice. A meeting may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the meeting on shortened notice. An agenda will be furnished prior to such a meeting.

3. Presiding Officer. The Chairman shall preside when present. If the Chairman is not present at any meeting, the Ranking Majority Member present shall preside.

II. Convening of Hearings

1. Notice. The Committee shall make public announcement of the date, place and subject matter of any hearing at least one week before its commencement. A hearing may be called on not less than 24 hours notice if the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing on shortened notice.

2. Presiding Officer. The Chairman shall preside over the conduct of a hearing when present, or, whether present or not, may delegate authority to preside to any Member of the Committee.

3. Witnesses. Witnesses called before the Committee shall be given, absent extraordinary circumstances, at least 48 hours notice, and all witnesses called shall be furnished with a copy of these rules upon request.

4. Oath. All witnesses who testify to matters of fact shall be sworn unless the Committee waives the oath. The Chairman, or any Member, may request and administer the oath.

5. Testimony. At least 48 hours in advance of a hearing, each witness who is to appear before the Committee shall submit his or her testimony by way of electronic mail, in a format determined by the Committee and sent to an electronic mail address specified by the Committee, unless the Chairman and Ranking Minority Member determine that there is good cause for a witness's failure to do so. A witness shall be allowed no more than five minutes to orally summarize his or her prepared statement. Officials of the federal government shall file 40 copies of such statement with the clerk of the Committee 48 hours in advance of their appearance, unless the Chairman and the Ranking Minority Member determine there is good cause for noncompliance.

6. Counsel. A witness's counsel shall be permitted to be present during his testimony at any public or closed hearing or depositions or staff interview to advise such witness of his or her rights, provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association creates a conflict of interest, and that the witness shall be represented by personal counsel not from the government, corporation, or association.

7. Transcript. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in closed sessions and public hearings. Any witness shall be afforded, upon request, the right to review that portion of such record, and for this purpose, a copy of a witness's testimony in public or closed session shall be provided to the witness. Upon inspecting his or her transcript, within a time limit set by the committee clerk, a witness may request changes in testimony to correct errors of transcription, grammatical errors, and obvious

errors of fact. The Chairman or a staff officer designated by him shall rule on such request.

8. Impugned Persons. Any person who believes that evidence presented, or comment made by a Member or staff, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) file a sworn statement of facts relevant to the evidence or comment, which shall be placed in the hearing record; and

(b) request the opportunity to appear personally before the Committee to testify in his or her own behalf.

9. Minority Witnesses. Whenever any hearing is conducted by the Committee, the Ranking Member shall be entitled to call at least one witness to testify or produce documents with respect to the measure or matter under consideration at the hearing. Such request must be made before the completion of the hearing or, if subpoenas are required to call the minority witnesses, no later than three days before the hearing.

10. Conduct of Witnesses, Counsel and Members of the Audience. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts him or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing the Chairman or presiding Member of the Committee present during such hearing may request the Sergeant at Arms of the Senate, his representative or any law enforcement official to eject said person from the hearing room.

III. Closed Sessions and Confidential Materials

1. Procedure. All meetings and hearings shall be open to the public unless closed. To close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed discussion of whether the meeting or hearing will concern Committee investigations or matters enumerated in Senate Rule XXVI(5)(b). Immediately after such discussion, the meeting or hearing or portion thereof may be closed by a vote in open session of a majority of the Members of the Committee present.

2. Witness Request. Any witness called for a hearing may submit a written or an electronic request to the Chairman no later than twenty-four hours in advance for his or her examination to be in closed or open session. The Chairman shall inform the Committee of any such request.

3. Confidential Matter. No record made of a closed session, or material declared confidential by a majority of the Committee, or report of the proceedings of a closed session, shall be made public, in whole or in part or by way of summary, unless specifically authorized by the Chairman and Ranking Minority Member.

IV. Broadcasting

1. Control. Any meeting or hearing open to the public may be covered by television, radio, or still photography. Such coverage must be conducted in an orderly and unobtrusive manner, and the Chairman may for good cause terminate such coverage in whole or in part, or take such other action to control it as the circumstances may warrant.

2. Request. A witness may request of the Chairman, on grounds of distraction, harassment, personal safety, or physical discomfort, that during his or her testimony cameras, media microphones, and lights shall not be directed at him or her.

V. Quorums and Voting

1. Reporting. A majority shall constitute a quorum for reporting a resolution, recommendation or report to the Senate.

2. Committee Business. A third shall constitute a quorum for the conduct of Committee business, other than a final vote on reporting, providing a minority Member is present.

3. Hearings. One Member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony at hearings.

4. Polling:

(a) Subjects. The Committee may poll (1) internal Committee matters including those concerning the Committee's staff, records, and budget; (2) Committee rules changes and (3) other Committee business which has been designated for polling at a meeting.

(b) Procedure. The Chairman shall circulate polling sheets to each Member specifying the matter being polled and the time limit for completion of the poll. If any Member so requests in advance of the meeting, the matter shall be held for meeting rather than being polled. The clerk shall keep a record of polls. If the Chairman determines that the polled matter is one of the areas enumerated in Rule III(1), the record of the poll shall be confidential. Any Member may request a Committee meeting following a poll for a vote on the polled decision.

VI. Investigations

1. Authorization for Investigations. All investigations shall be conducted on a bipartisan basis by Committee staff. Committee investigations may be initiated by the Committee staff upon the approval of the Chairman and the Ranking Minority Member. Staff shall keep the Committee fully informed of the progress of continuing Committee investigations, except where the Chairman and the Ranking Minority Member agree that there exists temporary cause for more limited knowledge.

2. Subpoenas. The Chairman and Ranking Minority Member, acting together, shall authorize a subpoena. Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or any other materials shall be issued by the Chairman, or by any other Member of the Committee designated by him. Prior to the issuance of each subpoena, the Ranking Minority Member, and any other Member so requesting, shall be notified regarding the identity of the person to whom the subpoena will be issued and the nature of the information sought, and its relationship to the investigation.

3. Committee Investigative Reports. All reports containing Committee findings or recommendations stemming from Committee investigations shall be printed only with the approval of a majority of the Members of the Committee.

VII. Depositions and Commissions

1. Notice. Notices for the taking of depositions in an investigation authorized by the Committee shall be authorized and issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Committee subpoena.

2. Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of their rights, subject to the provisions of Rule II(6).

3. Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Committee staff. Objections by the witnesses as to the form of questions shall be noted by the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Committee staff may proceed with the deposition, or may at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from a Member of the Committee. If the Member overrules the objection, he or she may refer the matter to the Committee or the Member may order and direct the witness to answer the question, but the Committee shall not initiate the procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by a Member of the Committee.

4. Filing. The Committee staff shall see that the testimony is transcribed or electronically recorded.

5. Commissions. The Committee may authorize the staff, by issuance of commissions, to fill in prepared subpoenas, conduct field hearings, inspect locations, facilities, or systems of records, or otherwise act on behalf of the Committee. Commissions shall be accompanied by instructions from the Committee regulating their use.

VIII. Subcommittees

1. Establishment. The Committee will operate as a Committee of the Whole, reserving to itself the right to establish temporary subcommittees at any time by majority vote. The Chairman of the full Committee and the Ranking Minority Member shall be ex officio Members of all subcommittees.

2. Jurisdiction. Within its jurisdiction as described in the Standing Rules of the Senate, each subcommittee is authorized to conduct investigations, including use of subpoenas, depositions, and commissions.

3. Rules. A subcommittee shall be governed by the Committee rules, except that its quorum for all business shall be one-third of the subcommittee Membership, and for hearings shall be one Member.

IX. Reports

Committee reports incorporating Committee findings and recommendations shall be printed only with the prior approval of a majority of the Committee, after an adequate period for review and comment. The printing, as Committee documents, of materials prepared by staff for informational purposes, or the printing of materials not originating with the Committee or staff, shall require prior consultation with the minority staff; these publications shall have the following language printed on the cover of the document: ''Note: This document has been printed for informational purposes. It does not represent either findings or recommendations formally adopted by the Committee.''

X. Amendment of Rules

The rules of the Committee may be amended or revised at any time, provided that not less than a majority of the Committee present so determine at a Committee meeting preceded by at least 3 days notice of the amendments or revisions proposed or via polling, subject to Rule V (4).

COMMITTEE ON ENERGY AND NATURAL RESOURCES

SUBCOMMITTEE MEMBERSHIP

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' subcommittee assignments for the 115th Congress be printed in the RECORD.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

115TH CONGRESS SUBCOMMITTEE ASSIGNMENTS

ENERGY

Cory Gardner, *Chairman*

James E. Risch; Jeff Flake; Steve Daines; Jeff Sessions; Lamar Alexander; John Hoeven; Bill Cassidy; Rob Portman; Joe Manchin III, *Ranking*; Ron Wyden; Bernard Sanders; Al Franken; Martin Heinrich; Angus King; Tammy Duckworth; Catherine Cortez Masto.

PUBLIC LANDS, FORESTS, AND MINING

Mike Lee, *Chairman*

John Barrasso; James E. Risch; Jeff Flake; Steve Daines; Cory Gardner; Jeff Sessions; Lamar Alexander; John Hoeven; Bill Cassidy; Ron Wyden, *Ranking*; Debbie Stabenow; Al Franken; Joe Manchin III; Martin Heinrich; Mazie Hirono; Catherine Cortez Masto.

NATIONAL PARKS

Steve Daines, *Chairman*

John Barrasso; Mike Lee; Cory Gardner; Lamar Alexander; John Hoeven; Rob Portman; Mazie Hirono, *Ranking*; Bernard Sanders; Debbie Stabenow; Martin Heinrich; Angus King; Tammy Duckworth.

WATER AND POWER

Jeff Flake, *Chairman*

John Barrasso; James E. Risch; Mike Lee; Jeff Sessions; Bill Cassidy; Rob Portman; Angus King, *Ranking*; Ron Wyden; Bernard Sanders; Al Franken; Joe Manchin III; Tammy Duckworth.

Lisa Murkowski and Maria Cantwell are *ex officio* members of all Subcommittees.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

RULES OF PROCEDURE

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have the committee rules for the Health, Education, Labor, and Pensions Committee printed in the RECORD.

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

SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

LAMAR ALEXANDER, *Chairman*

RULES OF PROCEDURE (AS AGREED TO JANUARY, 2017)

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD–430, Dirksen Senate Office Building. The chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2.—The chairman of the committee or of a subcommittee, or if the chairman is not present, the ranking majority member present, shall preside at all meetings. The chairman may designate the ranking minority member to preside at hearings of the committee or subcommittee.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member of the majority and one member of the minority.

(b) A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business: provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is physically present.

Rule 5.—With the approval of the chairman of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. While proxies may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrence of a majority of the members who are actually present at the time such action is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording adequate to fully record the proceedings of each committee or subcommittee meeting or conference whether or not such meetings or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a ''yea and nay'' vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk's designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with the provisions of rule XXVI, paragraph 4, of the Standing Rules of the Senate, to issue public announcement of any hearing or executive session it intends to hold at least one week prior to the commencement of such hearing or executive session. In the case of an executive session, the text of any bill or joint resolution to be considered must be provided to the chairman for prompt electronic distribution to the members of the committee.

Rule 9.—The committee or a subcommittee shall require all witnesses heard before it to file written statements of their proposed testimony at least 24 hours before a hearing, unless the chairman and the ranking minority member determine that there is good cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. Testimony may be filed electronically. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chairman in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule 26.5 of the Standing Rules of the Senate, no person other than members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chairman thereof.

Rule 14.—The chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time schedule for such meeting.

Rule 15.—Whenever a bill or joint resolution shall be before the committee or a subcommittee for final consideration, the clerk shall distribute to each member of the committee or subcommittee a document, prepared by the sponsor of the bill or joint resolution. If the bill or joint resolution has no underlying statutory language, the document shall consist of a detailed summary of the purpose and impact of each section. If the bill or joint resolution repeals or amends any statute or part thereof, the document shall consist of a detailed summary of the underlying statute and the proposed changes in each section of the underlying law and either a print of the statute or the part or section thereof to be amended or replaced showing by stricken-through type, the part or parts to be omitted and, in italics, the matter proposed to be added, along with a summary of the proposed changes; or a side-by-side document showing a comparison of current law, the proposed legislative changes, and a detailed description of the proposed changes.

Rule 16.—An appropriate opportunity shall be given the minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the majority to examine the proposed text prior to filing or publication. Unless the chairman and ranking minority member agree on a shorter period of time, the minority shall have no fewer than three business days to prepare supplemental, minority or additional views for inclusion in a committee report from the time the majority makes the proposed text of the committee report available to the minority.

Rule 17.—(a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by majority vote of the committee.

(b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the committee or subcommittee shall constitute a quorum: provided, with the concurrence of the chairman and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony.

(c) The committee may, by a majority vote, delegate the authority to issue subpoenas to the chairman of the committee or a subcommittee, or to any member designated by such chairman. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chairman of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting same, or to any assistant to a member of the committee designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chairman of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

(d) Any witness summoned to testify at a hearing, or any witness giving sworn testimony, may be accompanied by counsel of his own choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(e) No confidential testimony taken or confidential material presented in an executive hearing, or any report of the proceedings of such an executive hearing, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee.

Rule 18.—Presidential nominees shall submit a statement of their background and financial interests, including the financial interests of their spouse and children living in their household, on a form approved by the committee which shall be sworn to as to its completeness and accuracy. The committee form shall be in two parts—

(I) information relating to employment, education and background of the nominee relating to the position to which the individual is nominated, and which is to be made public; and,

(II) information relating to financial and other background of the nominee, to be made public when the committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Information relating to background and financial interests (parts I and II) shall not be required of nominees for less than full-time appointments to councils, commissions or boards when the committee determines that some or all of the information is not relevant to the nature of the position. Information relating to other background and financial interests (part II) shall not be required of any nominee when the committee determines that it is not relevant to the nature of the position.

Committee action on a nomination, including hearings or meetings to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chairman, with the concurrence of the ranking minority member, waives this waiting period.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended or suspended at any time; provided, not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Rule 20.—When the ratio of members on the committee is even, the term ''majority'' as used in the committee's rules and guidelines shall refer to the party of the chairman for purposes of party identification. Numerical requirements for quorums, votes and the like shall be unaffected.

Rule 21.—First degree amendments must be filed with the chairman at least 24 hours before an executive session. The chairman shall promptly distribute all filed amendments electronically to the members of the committee. The chairman may modify the filing requirements to meet special circumstances with the concurrence of the ranking minority member.

Rule 22.—In addition to the foregoing, the proceedings of the committee shall be governed by the Standing Rules of the Senate and the provisions of the Legislative Reorganization Act of 1946, as amended.

* * * * *

GUIDELINES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO HEARINGS, MARKUP SESSIONS, AND RELATED MATTERS

HEARINGS

Section 133A*(a)* of the Legislative Reorganization Act requires each committee of the Senate to publicly announce the date, place, and subject matter of any hearing at least one week prior to the commencement of such hearing.

The spirit of this requirement is to assure adequate notice to the public and other Members of the Senate as to the time and subject matter of proposed hearings. In the spirit of section 133A*(a)* and in order to assure that members of the committee are themselves fully informed and involved in the development of hearings:

1. Public notice of the date, place, and subject matter of each committee or subcommittee hearing should be inserted in the Congressional Record seven days prior to the commencement of such hearing.

2. At least seven days prior to public notice of each committee or subcommittee hearing, the majority should provide notice to the minority of the time, place and specific subject matter of such hearing.

3. At least three days prior to the date of such hearing, the committee or subcommittee should provide to each member a list of witnesses who have been or are proposed to be invited to appear.

4. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of written statements of witnesses twenty-four hours in advance of a hearing. Witnesses will be urged to submit testimony even earlier whenever possible. When statements are received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such statements to each of its members. Witness testimony may be submitted and distributed electronically.

EXECUTIVE SESSIONS FOR THE PURPOSE OF MARKING UP BILLS

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed:

1. Seven days prior to the proposed date for an executive session for the purpose of marking up bills the committee or subcommittee (as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered and including:

(a) a copy of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(b) a copy of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session including, whenever possible, an explanation of changes to existing law proposed to be made.

2. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

SUBCOMMITTEE MEMBERSHIP

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have the subcommittee assignments for the Health, Education, Labor, and Pensions Committee printed in the RECORD.

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

SUBCOMMITTEES OF THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

CHILDREN AND FAMILIES

Mr. Paul, Kentucky, *Chairman*

Mr. Casey, Pennsylvania, *Ranking Member*

Ms. Murkowski, Alaska; Mr. Burr, North Carolina; Mr. Cassidy, Louisiana; Mr. Young, Indiana; Mr. Hatch, Utah; Mr. Roberts, Kansas; Mr. Alexander, Tennessee (*Ex Officio*); Mr. Sanders, Vermont; Mr. Franken, Minnesota; Mr. Bennet, Colorado; Mr. Kaine, Virginia; Ms. Hassan, New Hampshire; Mrs. Murray, Washington (*Ex Officio*).

EMPLOYMENT AND WORKPLACE SAFETY

Mr. Isakson, Georgia, *Chairman*

Mr. Franken, Minnesota, *Ranking Member*

Mr. Roberts, Kansas; Mr. Scott, South Carolina; Mr. Burr, North Carolina; Mr. Paul, Kentucky; Mr. Cassidy, Louisiana; Mr. Young, Indiana; Mr. Alexander, Tennessee (*Ex Officio*); Mr. Casey, Pennsylvania; Mr. Whitehouse, Rhode Island; Ms. Baldwin, Wisconsin; Mr. Murphy, Connecticut; Ms. Warren, Massachusetts; Mrs. Murray, Washington (*Ex Officio*).

PRIMARY HEALTH AND RETIREMENT SECURITY

Mr. Enzi, Wyoming, *Chairman*

Mr. Sanders, Vermont, *Ranking Member*

Mr. Burr, North Carolina; Ms. Collins, Maine; Mr. Cassidy, Louisiana; Mr. Young, Indiana; Mr. Hatch, Utah; Mr. Roberts, Kansas; Mr. Scott, South Carolina; Ms. Murkowski, Alaska; Mr. Alexander, Tennessee (*Ex Officio*); Mr. Bennet, Colorado; Mr. Whitehouse, Rhode Island; Ms. Baldwin, Wisconsin; Mr. Murphy, Connecticut; Ms. Warren, Massachusetts; Mr. Kaine, Virginia; Ms. Hassan, New Hampshire; Mrs. Murray, Washington (*Ex Officio*).

COMMITTEE ON FOREIGN RELATIONS

RULES OF PROCEDURE

Mr. CORKER. Mr. President, the Committee on Foreign Relations has adopted rules governing its procedures for the 115th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator CARDIN, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted January 31, 2017)

RULE 1—JURISDICTION

(a) *Substantive.*—In accordance with Senate Rule XXV.1(j)(1), the jurisdiction of the committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).
11. Intervention abroad and declarations of war.
12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
13. National security and international aspects of trusteeships of the United States.
14. Ocean and international environmental and scientific affairs as they relate to foreign policy.
15. Protection of United States citizens abroad and expatriation.
16. Relations of the United States with foreign nations generally.
17. Treaties and executive agreements, except reciprocal trade agreements.
18. United Nations and its affiliated organizations.
19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j)(2) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) *Oversight.*—The committee also has a responsibility under Senate Rule XXVI.8(a)(2), which provides that ''. . . each standing committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee.''

(c) *''Advice and Consent'' Clauses.*—The committee has a special responsibility to assist the Senate in its constitutional function of providing ''advice and consent'' to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

RULE 2—SUBCOMMITTEES

(a) *Creation.*—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the committee and shall deal with such legislation and oversight of programs and policies as the committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the chairman or by vote of a majority of the committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the chairman or the committee may refer the matter to two or more subcommittees for joint consideration.

(b) *Assignments.*—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the committee may serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be *ex officio* members, without vote, of each subcommittee.

(c) *Hearings.*—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the chairman of the full committee or by decision of the full committee. Hearings of subcommittees shall be scheduled after consultation with the chairman of the committee with a view toward avoiding conflicts with hearings of other subcommittees insofar as possible. Hearings of subcommittees shall not be scheduled to conflict with meetings or hearings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 3—MEETINGS AND HEARINGS

(a) *Regular Meeting Day.*—The regular meeting day of the Committee on Foreign Relations for the transaction of committee business shall be on Tuesday of each week, unless otherwise directed by the chairman.

(b) *Additional Meetings and Hearings.*—Additional meetings and hearings of the committee may be called by the chairman as he may deem necessary. If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon filing of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

(c) *Hearings, Selection of Witnesses.*—To ensure that the issue which is the subject of the hearing is presented as fully and fairly as possible, whenever a hearing is conducted by the committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may select and call an equal number of non-governmental witnesses to testify at that hearing.

(d) *Public Announcement.*—The committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing to be conducted on any measure or matter at least seven calendar days in advance of such meetings or hearings, unless the chairman of the committee, or subcommittee, in consultation with the ranking member, determines that there is good cause to begin such meeting or hearing at an earlier date.

(e) *Procedure.*—Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the chairman, in consultation with the ranking member. The chairman, in consultation with the ranking member, may also propose special procedures to govern the consideration of particular matters by the committee.

(f) *Closed Sessions.*—Each meeting and hearing of the Committee on Foreign Relations, or any subcommittee thereof shall be open to the public, except that a meeting or hearing or series of meetings or hearings by the committee or a subcommittee on the same subject for a period of no more than 14 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 paragraphs (1) through (6) would require the meeting or hearing 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 hearing or series of meetings or hearings—

(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 or 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.

A closed meeting or hearing may be opened by a majority vote of the committee.

(g) *Staff Attendance.*—A member of the committee may have one member of his or her personal staff, for whom that member assumes personal responsibility, accompany and be seated nearby at committee meetings and hearings. The chairman or ranking member may authorize the attendance and seating of such a staff member at committee meetings and hearings where the member of the committee is not present.

Each member of the committee may designate members of his or her personal staff for whom that member assumes personal responsibility, who holds, at a minimum, a top secret security clearance, for the purpose of their eligibility to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

In addition, the majority leader and the minority leader of the Senate, if they are not otherwise members of the committee, may designate one member of their staff for whom that leader assumes personal responsibility and who holds, at a minimum, a top secret security clearance, to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

Staff of other Senators who are not members of the committee may not attend closed sessions of the committee.

Attendance of committee staff at meetings and hearings shall be limited to those designated by the staff director or the minority staff director.

The committee, by majority vote, or the chairman, with the concurrence of the ranking member, may limit staff attendance at specified meetings or hearings

RULE 4—QUORUMS

(a) *Testimony.*—For the purpose of taking sworn or sworn testimony at any duly scheduled meeting a quorum of the committee and each subcommittee thereof shall consist of one member of such committee or subcommittee.

(b) *Business.*—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

(c) *Reporting.*—A majority of the membership of the committee, including at least one member from each party, shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members is physically present, including at least one member from each party, and a majority of those present concurs.

RULE 5—PROXIES

Proxies must be in writing with the signature of the absent member. Subject to the requirements of Rule 4 for the physical presence of a quorum to report a matter, proxy voting shall be allowed on all measures and matters before the committee. However, proxies shall not be voted on a measure or matter except when the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he or she be so recorded.

RULE 6—WITNESSES

(a) *General.*—The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the committee.

(b) *Presentation.*—If the chairman so determines, the oral presentation of witnesses shall be limited to 10 minutes. However, written statements of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

(c) *Filing of Statements.*—A witness appearing before the committee, or any subcommittee thereof, shall submit an electronic copy of the written statement of his proposed testimony at least 24 hours prior to his appearance, unless this requirement is waived by the chairman and the ranking member following their determination that there is good cause for failure to file such a statement.

(d) *Expenses.*—Only the chairman may authorize expenditures of funds for the expenses of witnesses appearing before the committee or its subcommittees.

(e) *Requests.*—Any witness called for a hearing may submit a written request to the chairman no later than 24 hours in advance for his testimony to be in closed or open session, or for any other unusual procedure. The chairman shall determine whether to grant any such request and shall notify the committee members of the request and of his decision.

RULE 7—SUBPOENAS

(a) *Authorization.*—The chairman or any other member of the committee, when authorized by a majority vote of the committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. At the request of any member of the committee, the committee shall authorize the issuance of a subpoena only at a meeting of the committee. When the committee authorizes a subpoena, it may be issued upon the signature of the chairman or any other member designated by the committee.

(b) *Return.*—A subpoena, or a request to an agency, for documents may be issued whose return shall occur at a time and place other than that of a scheduled committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the chairman or any other member designated by him may convene a hearing by giving 4 hours notice by telephone or electronic mail to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.

(c) *Depositions.*—At the direction of the committee, staff is authorized to take depositions from witnesses.

RULE 8—REPORTS

(a) *Filing.*—When the committee has ordered a measure or recommendation reported, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) *Supplemental, Minority and Additional Views.*—A member of the committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing (including by electronic mail), with the chief clerk of the committee, with the 3 days to begin at 11:00 p.m. on the same day that the committee has ordered a measure or matter reported. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

(c) *Roll Call Votes.*—The results of all roll call votes taken in any meeting of the committee on any measure, or amendment thereto, shall be announced in the committee report. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the committee.

RULE 9—TREATIES

(a) *General.*—The committee is the only committee of the Senate with jurisdiction to review and report to the Senate on treaties submitted by the President for Senate advice and consent to ratification. Because the House of Representatives has no role in the approval of treaties, the committee is therefore the only congressional committee with responsibility for treaties.

(b) *Committee Proceedings.*—Once submitted by the President for advice and consent, each treaty is referred to the committee and remains on its calendar from Congress to Congress until the committee takes action to report it to the Senate or recommend its return to the President, or until the committee is discharged of the treaty by the Senate.

(c) *Floor Proceedings.*—In accordance with Senate Rule XXX.2, treaties which have been reported to the Senate but not acted on before the end of a Congress ''shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.''

(d) *Hearings.*—Insofar as possible, the committee should conduct a public hearing on each treaty as soon as possible after its submission by the President. Except in extraordinary circumstances, treaties reported to the Senate shall be accompanied by a written report.

RULE 10—NOMINATIONS

(a) *Waiting Requirement.*—Unless otherwise directed by the chairman and the ranking member, the Committee on Foreign Relations shall not consider any nomination until 5 business days after it has been formally submitted to the Senate.

(b) *Public Consideration.*—Nominees for any post who are invited to appear before the committee shall be heard in public session, unless a majority of the committee decrees otherwise, consistent with Rule 3(f).

(c) *Required Data.*—No nomination shall be reported to the Senate unless (1) the nominee has been accorded a security clearance

on the basis of a thorough investigation by executive branch agencies; (2) the nominee has filed a financial disclosure report and a related ethics undertaking with the committee; (3) the committee has been assured that the nominee does not have any interests which could conflict with the interests of the government in the exercise of the nominee's proposed responsibilities; (4) for persons nominated to be chief of mission, ambassador-at-large, or minister, the committee has received a complete list of any contributions made by the nominee or members of his immediate family to any Federal election campaign during the year of his or her nomination and for the 4 preceding years; (5) for persons nominated to be chiefs of mission, the report required by Section 304(a)(4) of the Foreign Service Act of 1980 on the demonstrated competence of that nominee to perform the duties of the position to which he or she has been nominated; and (6) the nominee has provided the committee with a signed and notarized copy of the committee questionnaire for executive branch nominees.

RULE 11—TRAVEL

(a) *Foreign Travel*.—No member of the Committee on Foreign Relations or its staff shall travel abroad on committee business unless specifically authorized by the chairman, who is required by law to approve vouchers and report expenditures of foreign currencies, and the ranking member. Requests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairman and the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior trips. Except for travel that is strictly personal, travel funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics, in the case of travel sponsored by non-U.S. Government sources.

Any proposed travel by committee staff for a subcommittee purpose must be approved by the subcommittee chairman and ranking member prior to submission of the request to the chairman and ranking member of the full committee.

(b) *Domestic Travel*.—All official travel in the United States by the committee staff shall be approved in advance by the staff director, or in the case of minority staff, by the minority staff director.

(c) *Personal Staff Travel*.—As a general rule, no more than one member of the personal staff of a member of the committee may travel with that member with the approval of the chairman and the ranking member of the committee. During such travel, the personal staff member shall be considered to be an employee of the committee.

(d) *PRM Travel*.—For the purposes of this rule regarding staff foreign travel, the officially-designated personal representative of the member pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations.

RULE 12—TRANSCRIPTS AND MATERIALS PROVIDED TO THE COMMITTEE

(a) *General*.—The Committee on Foreign Relations shall keep verbatim transcripts of all committee and subcommittee meetings and hearings and such transcripts shall remain in the custody of the committee, unless a majority of the committee decides otherwise. Transcripts of public hearings by the committee shall be published unless the chairman, with the concurrence of the ranking member, determines otherwise.

The committee, through the chief clerk, shall also maintain at least one copy of all materials provided to the committee by the Executive Branch; such copy shall remain in the custody of the committee and be subject to the committee's rules and procedures, including those rules and procedures applicable to the handling of classified materials.

Such transcripts and materials shall be made available to all members of the committee, committee staff, and designated personal representatives of members of the committee, except as otherwise provided in these rules.

(b) *Classified or Restricted Transcripts or Materials*.—

(1) The chief clerk of the committee shall have responsibility for the maintenance and security of classified or restricted transcripts or materials, and shall ensure that such transcripts or materials are handled in a manner consistent with the requirements of the United States Senate Security Manual.

(2) A record shall be maintained of each use of classified or restricted transcripts or materials as required by the Senate Security Manual.

(3) Classified transcripts or materials may not leave the committee offices, or SVC–217 of the Capitol Visitors Center, except for the purpose of declassification or archiving, consistent with these rules.

(4) Extreme care shall be exercised to avoid taking notes or quotes from classified transcripts or materials. Their contents may not be divulged to any unauthorized person.

(5) Subject to any additional restrictions imposed by the chairman with the concurrence of the ranking member, only the following persons are authorized to have access to classified or restricted transcripts or materials:

(A) Members and staff of the committee in the committee offices or in SVC–217 of the Capitol Visitors Center;

(B) Designated personal representatives of members of the committee, and of the majority and minority leaders, with appropriate security clearances, in the committee offices or in SVC–217 of the Capitol Visitors Center;

(C) Senators not members of the committee, by permission of the chairman, in the committee offices or in SVC–217 of the Capitol Visitors Center; and

(D) Officials of the executive departments involved in the meeting, hearing, or matter, with authorization of the chairman, in the committee offices or SVC–217 of the Capitol Visitors Center.

(6) Any restrictions imposed by the committee upon access to a meeting or hearing of the committee shall also apply to the transcript of such meeting, except by special permission of the chairman and ranking member.

(7) In addition to restrictions resulting from the inclusion of any classified information in the transcript of a committee meeting or hearing, members and staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself or is a member or staff of a relevant committee or executive branch agency and possess an appropriate security clearance, or unless such communication is specifically authorized by the chairman, the ranking member, or in the case of staff, by the staff director or minority staff director. A record shall be kept of all such authorizations.

(c) *Declassification*.—

(1) All noncurrent records of the committee are governed by Rule XI of the Standing Rules of the Senate and by S. Res. 474 (96th Congress). Any classified transcripts or materials transferred to the National Archives and Records Administration under Rule XI may not be made available for public use unless they have been subject to declassification review in accordance with applicable laws or Executive orders.

(2) Any transcript or classified committee report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(A) the chairman originates such action, with the concurrence of the ranking member;

(B) the other current members of the committee who participated in such meeting or report have been notified of the proposed declassification, and have not objected thereto, except that the committee by majority vote may overrule any objections thereby raised to early declassification; and

(C) the executive departments that participated in the meeting or originated the classified information have been consulted regarding the declassification.

RULE 13—CLASSIFIED INFORMATION

(a) *General*.—The handling of classified information in the Senate is governed by S. Res. 243 (100th Congress), which established the Office of Senate Security. All handling of classified information by the committee shall be consistent with the procedures set forth in the United States Senate Security Manual issued by the Office of Senate Security.

(b) *Security Manager*.—The chief clerk is the security manager for the committee. The chief clerk shall be responsible for implementing the provisions of the Senate Security Manual and for serving as the committee liaison to the Office of Senate Security. The staff director, in consultation with the minority staff director, may appoint an alternate security manager as circumstances warrant.

(c) *Transportation of Classified Material*.—Classified material may only be transported between Senate offices by appropriately cleared staff members who have been specifically authorized to do so by the security manager.

(d) *Access to Classified Material*.—In general, Senators and staff undertake to confine their access to classified information on the basis of a ''need to know'' such information related to their committee responsibilities.

(e) *Staff Clearances*.—The chairman, or, in the case of minority stag the ranking member, shall designate the members of the committee staff whose assignments require access to classified and compartmented information and shall seek to obtain the requisite security clearances pursuant to Office of Senate Security procedures.

(f) *PRM Clearances*.—For the purposes of this rule regarding security clearances and access to compartmented information, the officially-designated personal representative of the member (PRM) pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations.

(g) *Regulations*.—The staff director is authorized to make such administrative regulations as may be necessary to carry out the provisions of this rule.

RULE 14—STAFF

(a) *Responsibilities*.—

(1) The staff works for the committee as a whole, under the general supervision of the chairman of the committee, and the immediate direction of the staff director, except

that such part of the staff as is designated minority staff shall be under the general supervision of the ranking member and under the immediate direction of the minority staff director.

(2) Any member of the committee should feel free to call upon the staff at any time for assistance in connection with committee business. Members of the Senate not members of the committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations and other matters within the jurisdiction of the committee. In addition to carrying out assignments from the committee and its individual members, the staff has a responsibility to originate suggestions for committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and national security and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) *Personal Representatives of the Member (PRM).* —Each Senator on the committee shall be authorized to designate one personal staff member as the member's personal representative of the member and designee to the committee (PRM) that shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations where specifically provided for in these rules.

(c) *Restrictions.*—

(1) The staff shall regard its relationship to the committee as a privileged one, in the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply, unless staff has consulted with and obtained, as appropriate, the approval of the Senate Ethics Committee and advance permission from the staff director (or the minority staff director in the case of minority staff):

(A) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group; and

(B) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations.

(2) The staff shall not discuss their private conversations with members of the committee without specific advance permission from the Senator or Senators concerned.

(3) The staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself or is a member or staff of a relevant committee or executive branch agency and possesses an appropriate security clearance, or unless such communication is specifically authorized by the staff director or minority staff director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in certain cases, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) *Status.*—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate, which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the committee with respect to certain matters, as well as the timing and procedure for their consideration in committee, may be governed by statute.

(b) *Amendment.*—These rules may be modified, amended, or repealed by a majority of the committee, provided that a notice in writing (including by electronic mail) of the proposed change has been given to each member at least 72 hours prior to the meeting at which action thereon is to be taken. However, rules of the committee which are based upon Senate rules may not be superseded by committee vote alone.

COMMITTEE ON INDIAN AFFAIRS

RULES OF PROCEDURE

Mr. HOEVEN. Mr. President, I ask unanimous consent that the ''Senate Committee on Indian Affairs rules for the 115th Congress'' be printed in the RECORD.

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

SENATE COMMITTEE ON INDIAN AFFAIRS COMMITTEE RULES FOR THE 115TH CONGRESS

RULES OF PROCEDURE

Rule 1. The Standing Rules of the Senate, Senate Resolution 4, and the provisions of the Legislative Reorganization Act of 1946, as amended by the Legislative Reorganization Act of 1970, as supplemented by these rules, are adopted as the rules of the Committee to the extent the provisions of such Rules, Resolution, and Acts are applicable to the Committee on Indian Affairs.

MEETING OF THE COMMITTEE

Rule 2. The Committee shall meet on Wednesday/Thursday while the Congress is in session for the purpose of conducting business, unless for the convenience of the Members, the Chairman shall set some other day for a meeting. Additional meetings may be called by the Chairman as he may deem necessary.

OPEN HEARINGS AND MEETINGS

Rule 3(a). Hearings and business meetings of the Committee shall be open to the public except when the Chairman by a majority vote orders a closed hearing or meeting.

(b). Except as otherwise provided in the Rules of the Senate, a transcript or electronic recording shall be kept of each hearing and business meeting of the Committee.

HEARING PROCEDURE

Rule 4(a). Public notice, including notice to Members of the Committee, shall be given of the date, place and subject matter of any heating to be held by the Committee at least one week in advance of such hearing unless the Chairman of the Committee, with the concurrence of the Vice Chairman, determines that holding the hearing would be non-controversial or that special circumstances require expedited procedures and a majority of the Committee Members attending concurs. In no case shall a hearing be conducted with less than 24 hours' notice.

(b). Each witness who is to appear before the Committee shall submit his or her testimony by way of electronic mail, at least 48 hours in advance of a hearing, in a format determined by the Committee and sent to an electronic mail address specified by the Committee.

(c). Each Member shall be limited to five (5) minutes of questioning of any witness until such time as all Members attending who so desire have had an opportunity to question the witness unless the Committee shall decide otherwise.

BUSINESS MEETING AGENDA

Rule 5(a). A legislative measure or subject shall be included in the agenda of the next following business meeting of the Committee if a written request by a Member for consideration of such measure or subject has been filed with the Chairman of the Committee at least one week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the Chairman of the Committee to include legislative measures or subjects on the Committee agenda in the absence of such request.

(b). Any bill, resolution, or other matter to be considered by the Committee at a business meeting shall be filed with the Clerk of the Committee. Notice of, and the agenda for, any business meeting of the Committee, and a copy of any bill, resolution, or other matter to be considered at the meeting, shall be provided to each Member and made available to the public at least three days prior to such meeting, and no new items may be added after the agenda is published except by the approval of a majority of the Members of the Committee. The notice and agenda of any business meeting may be provided to the Members by electronic mail, provided that a paper copy will be provided to any Member upon request. The Clerk shall promptly notify absent Members of any action taken by the Committee on matters not included in the published agenda.

(c). Any amendment(s) to any bill or resolution to be considered shall be filed with the Clerk not less than 48 hours in advance. This rule may be waived by the Chairman with the concurrence of the Vice Chairman.

QUORUM

Rule 6(a). Except as provided in subsection (b), a majority of the Members shall constitute a quorum for the transaction of business of the Committee. Except as provided in Senate Rule XXVI 7(a), a quorum is presumed to be present unless the absence of a quorum is noted by a Member.

(b). One Member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure or matter before the Committee.

VOTING

Rule 7(a). A recorded vote of the Members shall be taken upon the request of any Member.

(b). A measure may be reported without a recorded vote from the Committee unless an objection is made by a Member, in which case a recorded vote by the Members shall be required. A Member shall have the right to

have his or her additional views included in the Committee report in accordance with Senate Rule XXVI 10.

(c). A Committee vote to report a measure to the Senate shall also authorize the staff of the Committee to make necessary technical and conforming changes to the measure.

(d). Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only for the date for which it is given and upon the terms published in the agenda for that date.

SWORN TESTIMONY AND FINANCIAL STATEMENTS

Rule 8(a). Witnesses in Committee hearings may be required to give testimony under oath whenever the Chairman or Vice Chairman of the Committee deems it to be necessary.

(b). At any hearing to confirm a Presidential nomination, the testimony of the nominee, and at the request of any Member, any other witness shall be under oath. Every nominee shall submit a financial statement, on forms to be perfected by the Committee, which shall be sworn to by the nominee as to its completeness and accuracy. All such statements shall be made public by the Committee unless the Committee, in executive session, determines that special circumstances require a full or partial exception to this rule.

(c). Members of the Committee are urged to make public a complete disclosure of their financial interests on forms to be perfected by the Committee in the manner required in the case of Presidential nominees.

CONFIDENTIAL TESTIMONY

Rule 9. No confidential testimony taken by, or confidential material presented to the Committee or any report of the proceedings of a closed Committee hearing or business meeting shall be made public in whole or in part, or by way of summary, unless authorized by a majority of the Members of the Committee at a business meeting called for the purpose of making such a determination.

DEFAMATORY STATEMENTS

Rule 10. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee hearing tends to defame him or her or otherwise adversely affect his or her reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony of evidence.

BROADCASTING OF HEARINGS OR MEETINGS

Rule 11. Any meeting or hearing by the Committee which is open to the public may be covered in whole or in part by television, Internet, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the sight, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

AUTHORIZING SUBPOENAS

Rule 12. The Chairman may, with the agreement of the Vice Chairman, or the Committee may, by majority vote, authorize the issuance of subpoenas.

AMENDING THE RULES

Rule 13. These rules may be amended only by a vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, that no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least seven (7) days in advance of such meeting.

COMMITTIEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, rule XXVI, paragraph 2, of the Standing Rules of the Senate requires each committee to adopt rules to govern the procedure of the Committee and to publish those rules in the Congressional Record not later than March 1 of the first year of each Congress. Today the Committee on Homeland Security and Governmental Affairs adopted committee rules of procedure.

Consistent with Standing Rule XXVI, I ask unanimous consent to have a copy of the rules of procedure of the Committee on Homeland Security and Governmental Affairs printed in the RECORD.

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

RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURIT GOVERNMENTAL AFFAIRS

PURSUANT TO RULE XXVI, SEC. 2, STANDING RULES OF THE SENATE

RULE 1. MEETINGS AND MEETING PROCEDURES OTHER THAN HEARINGS

A. Meeting dates. The Committee shall hold its regular meetings on the first Wednesday of each month, when the Congress is in session, or at such other times as the Chairman shall determine. Additional meetings may be called by the Chairman as he/she deems necessary to expedite Committee business. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

B. Calling special Committee meetings. If at least three Members of the Committee desire the Chairman to call a special meeting, they may file in the offices of the Committee a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Committee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the offices of the Committee their written notice that a special Committee meeting will be held, specifying the date and hour thereof, and the Committee shall meet on that date and hour. Immediately upon the filing of such notice, the Committee chief clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

C. Meeting notices and agenda. Written notices of Committee meetings, accompanied by an agenda, enumerating the items of business to be considered, shall be sent to all Committee Members at least 5 days in advance of such meetings, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session. The written notices required by this Rule may be provided by electronic mail. In the event that unforeseen requirements or Committee business prevent a 5–day notice of either the meeting or agenda, the Committee staff shall communicate such notice and agenda, or any revisions to the agenda, as soon as practicable by telephone or otherwise to Members or appropriate staff assistants in their offices.

D. Open business meetings. Meetings for the transaction of Committee or Subcommittee business shall be conducted in open session, except that a meeting or series of meetings on the same subject for a period of no more than 14 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) below would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee Members 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 foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee 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 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 an 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. (Rule X.XVI, Sec. 5(b), Standing Rules of the Senate.) Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee 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 Chairman to enforce order on his or her own initiative and without any point of order being made by a Member of the Committee or Subcommittee; provided, further, that when the Chairman finds it necessary to maintain order, he/she shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

E. Prior notice of first degree amendments. It shall not be in order for the Committee, or a Subcommittee thereof, to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless a written copy of such amendment has been delivered to each Member of the Committee or Subcommittee, as the case may be, and to the office of the Committee or Subcommittee, by no later than 4:00 p.m. two days before the meeting of the Committee or Subcommittee at which the amendment is to be proposed, and, in the case of a first degree amendment in the nature of a substitute proposed by the manager of the measure, by no later than 5:00 p.m. five days before the meeting. The written copy of amendments in the first degree required by this Rule may be

provided by electronic mail. This subsection may be waived by a majority of the Members present, or by consent of the Chairman and Ranking Minority Member of the Committee or Subcommittee. This subsection shall apply only when at least 120 hours written notice of a session to mark-up a measure is provided to the Committee or Subcommittee.

F. Meeting transcript. The Committee or Subcommittee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting whether or not such meeting or any part thereof is closed to the public, unless a majority of the Committee or Subcommittee Members vote to forgo such a record. (Rule XXVI, Sec. 5(e), Standing Rules of the Senate.)

RULE 2. QUORUMS

A. Reporting measures and matters. A majority of the Members of the Committee shall constitute a quorum for reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

B. Transaction of routine business. One-third of the membership of the Committee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term ''routine business'' includes the convening of a meeting and the consideration of any business of the Committee other than reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

C. Taking testimony. One Member of the Committee shall constitute a quorum for taking sworn or unsworn testimony. (Rule XXVI, Sec. 7(a)(2) and 7(c)(2), Standing Rules of the Senate.)

D. Subcommittee quorums. Subject to the provisions of sections 7(a)(1) and (2) of Rule XXVI of the Standing Rules of the Senate, the Subcommittees of this Committee are authorized to establish their own quorums for the transaction of business and the taking of sworn testimony.

E. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

RULE 3. VOTING

A. Quorum required. Subject to the provisions of subsection (E), no vote may be taken by the Committee, or any Subcommittee thereof, on any measure or matter unless a quorum, as prescribed in the preceding section, is actually present.

B. Reporting measures and matters. No measure, matter or recommendation shall be reported from the Committee unless a majority of the Committee Members are actually present, and the vote of the Committee to report a measure or matter shall require the concurrence of a majority of those Members who are actually present at the time the vote is taken. (Rule XXVI, Sec. 7(a)(1) and (3), Standing Rules of the Senate.)

C. Proxy voting. Proxy voting shall be allowed on all measures and matters before the Committee, or any Subcommittee thereof, except that, when the Committee, or any Subcommittee thereof, is voting to report a measure or matter, proxy votes shall be allowed solely for the purposes of recording a Member's position on the pending question. Proxy voting shall be allowed only if the absent Committee or Subcommittee Member has been informed of the matter on which he or she is being recorded and has affirmatively requested that he or she be so recorded. All proxies shall be filed with the chief clerk of the Committee or Subcommittee thereof, as the case may be. All proxies shall be in writing and shall contain sufficient reference to the pending matter as is necessary to identify it and to inform the Committee or Subcommittee as to how the Member establishes his or her vote to be recorded thereon. (Rule XXVI, Sec. 7(a)(3) and 7(c)(1), Standing Rules of the Senate.)

D. Announcement of vote. (1) Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such a measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each Member of the Committee. (Rule XXVI, Sec. 7(c), Standing Rules of the Senate.)

(2) Whenever the Committee by roll call vote acts upon any measure or amendment thereto, other than reporting a measure or matter, the results thereof shall be announced in the Committee report on that measure unless previously announced by the Committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment thereto by each Member of the Committee who was present at the meeting. (Rule XXVI, Sec. 7(b), Standing Rules of the Senate.)

(3) In any case in which a roll call vote is announced, the tabulation of votes shall state separately the proxy vote recorded in favor of and in opposition to that measure, amendment thereto, or matter. (Rule XXVI, Sec. 7(b) and (c), Standing Rules of the Senate.)

E. Polling. (1) The Committee, or any Subcommittee thereof, may poll (a) internal Committee or Subcommittee matters including the Committee's or Subcommittee's staff, records and budget; (b) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and (c) other Committee or Subcommittee business other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public.

(2) Only the Chairman, or a Committee Member or staff officer designated by him/her, may undertake any poll of the Members of the Committee. If any Member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the Committee shall keep a record of polls; if a majority of the Members of the Committee determine that the polled matter is in one of the areas enumerated in subsection (D) of Rule 1, the record of the poll shall be confidential. Any Committee Member may move at the Committee meeting following the poll for a vote on the polled decision, such motion and vote to be subject to the provisions of subsection (D) of Rule 1, where applicable.

F. Naming postal facilities. The Committee will not consider any legislation that would name a postal facility for a living person with the exception of bills naming facilities after former Presidents and Vice Presidents of the United States, former Members of Congress over 70 years of age, former State or local elected officials over 70 years of age, former judges over 70 years of age, or wounded veterans.

G. Technical and conforming changes. A Committee vote to report a measure to the Senate shall also authorize the Committee Chairman and Ranking Member by mutual agreement to make any required technical and conforming changes to the measure.

RULE 4. CHAIRMANSHIP OF MEETINGS AND HEARINGS

The Chairman shall preside at all Committee meetings and hearings except that he or she shall designate a temporary Chairman to act in his or her place if he or she is unable to be present at a scheduled meeting or hearing. If the Chairman (or his or her designee) is absent 10 minutes after the scheduled time set for a meeting or hearing, the Ranking Majority Member present shall preside until the Chairman's arrival. If there is no Member of the Majority present, the Ranking Minority Member present, with the prior approval of the Chairman, may open and conduct the meeting or hearing until such time as a Member of the Majority arrives.

RULE 5. HEARINGS AND HEARING PROCEDURES

A. Announcement of hearings. The Committee, or any Subcommittee thereof, shall make public announcement of the date, time, and subject matter of any hearing to be conducted on any measure or matter at least 5 days in advance of such hearing, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session, unless the Committee, or Subcommittee, determines that there is good cause to begin such hearing at an earlier date. (Rule XXVI, Sec. 4(a), Standing Rules of the Senate.)

B. Open hearings. Each hearing conducted by the Committee, or any Subcommittee thereof, shall be open to the public, except that a hearing or series of hearings on the same subject for a period of no more than 14 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) below would require the hearing to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee Members when it is determined that the matters to be discussed or the testimony to be taken at such hearing or hearings—

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

(2) will relate solely to matters of Committee or Subcommittee 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 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 an 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. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.)

Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee 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 Chairman to enforce order on his or her own initiative and without any point

of order being made by a Member of the Committee or Subcommittee; provided, further, that when the Chairman finds it necessary to maintain order, he or she shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

C. Full Committee subpoenas. The Chairman, with the approval of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses at a hearing or deposition or the production of memoranda, documents, records, or any other materials. The Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman has not received a letter of disapproval signed by the Ranking Minority Member within 72 hours, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session, of the Ranking Minority Member's receipt of a letter signed by the Chairman providing notice of the Chairman's intent to issue a subpoena, including an identification of all individuals and items sought to be subpoenaed. Delivery and receipt of the signed notice and signed disapproval letters and any additional communications related to the subpoena may be carried out by staff officers of the Chairman and Ranking Minority Member, and may occur through electronic mail. If a subpoena is disapproved by the Ranking Minority Member as provided in this subsection, the subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Committee designated by the Chairman.

D. Witness counsel. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing or deposition to advise such witness while he or she is testifying, of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the Government, or of a corporation or association, the Committee Chairman may rule that representation by counsel from the Government, corporation, or association or by counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during interrogation by staff or during testimony before the Committee by personal counsel not from the Government, corporation, or association or by personal counsel not representing other witnesses. This subsection shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such manner so as to prevent, impede, disrupt, obstruct or interfere with the orderly administration of the hearings; nor shall this subsection be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

E. Witness transcripts. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her testimony whether in public or executive session shall be made available for inspection by the witness or his or her counsel under Committee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be provided to any witness at his or her expense if he or she so requests. Upon inspecting his or her transcript, within a time limit set by the chief clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors; the Chairman or a staff officer designated by him/her shall rule on such requests.

F. Impugned persons. Any person whose name is mentioned or is specifically identified, and who believes that evidence presented, or comment made by a Member of the Committee or staff officer, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) File a sworn statement of facts relevant to the evidence or comment, which statement shall be considered for placement in the hearing record by the Committee;

(b) Request the opportunity to appear personally before the Committee to testify in his or her own behalf, which request shall be considered by the Committee; and

(c) Submit questions in writing which he or she requests be used for the cross-examination of other witnesses called by the Committee, which questions shall be considered for use by the Committee.

G. Radio, television, and photography. The Committee, or any Subcommittee thereof, may permit the proceedings of hearings which are open to the public to be photographed and broadcast by radio, television or both, subject to such conditions as the Committee, or Subcommittee, may impose. (Rule XXVI, Sec. 5(c), Standing Rules of the Senate.)

H. Advance statements of witnesses. A witness appearing before the Committee, or any Subcommittee thereof, shall provide electronically a written statement of his or her proposed testimony at least 48 hours prior to his or her appearance. This requirement may be waived by the Chairman and the Ranking Minority Member following their determination that there is good cause for failure of compliance. (Rule XXVI, Sec. 4(b), Standing Rules of the Senate.)

I. Minority witnesses. In any hearings conducted by the Committee, or any Subcommittee thereof, the Minority Members of the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of the Minority Members, to call witnesses of their selection during at least 1 day of such hearings. (Rule XXVI, Sec. 4(d), Standing Rules of the Senate.)

J. Swearing in witnesses. In any hearings conducted by the Committee, the Chairman or his or her designee may swear in each witness prior to their testimony.

K. Full Committee depositions. Depositions may be taken prior to or after a hearing as provided in this subsection.

(1) Notices for the taking of depositions shall be authorized and issued by the Chairman, with the approval of the Ranking Minority Member of the Committee. The Chairman may initiate depositions without the approval of the Ranking Minority Member where the Chairman has not received a letter of disapproval of the deposition signed by the Ranking Minority Member within 72 hours, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session, of the Ranking Minority Member's receipt of a letter signed by the Chairman providing notice of the Chairman's intent to issue a deposition notice, including identification of all individuals sought to be deposed. Delivery and receipt of the signed notice and signed disapproval letter and any additional communications related to the deposition may be carried out by staff officers of the Chairman and Ranking Member, and may occur through electronic mail. If a deposition notice is disapproved by the Ranking Minority Member as provided in this subsection, the deposition notice may be authorized by a vote of the Members of the Committee. Committee deposition notices shall specify a time and place for examination, and the name of the Committee Member or Members or staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear or produce unless the deposition notice was accompanied by a Committee subpoena.

(2) Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 5D.

(3) Oaths at depositions may be administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by a Committee Member or Members or staff. If a witness objects to a question and refuses to testify, the objection shall be noted for the record and the Committee Member or Members or staff may proceed with the remainder of the deposition.

(4) The Committee shall see that the testimony is transcribed or electronically recorded (which may include audio or audio/video recordings). If it is transcribed, the transcript shall be made available for inspection by the witness or his or her counsel under Committee supervision. The witness shall sign a copy of the transcript and may request changes to it, which shall be handled in accordance with the procedure set forth in subsection (E). If the witness fails to sign a copy, the staff shall note that fact on the transcript. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the chief clerk of the Committee. The Chairman or a staff officer designated by him/her may stipulate with the witness to changes in the procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

RULE 6. COMMITTEE REPORTING PROCEDURES

A. Timely filing. When the Committee has ordered a measure or matter reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time. (Rule XXVI, Sec. 10(b), Standing Rules of the Senate.)

B. Supplemental, Minority, and additional views. A Member of the Committee who gives notice of his or her intention to file supplemental, Minority, or additional views at the time of final Committee approval of a measure or matter shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the Committee report may be filed and printed immediately without such views. (Rule XXVI, Sec. 10(c), Standing Rules of the Senate.)

C. Notice by Subcommittee Chairmen. The Chairman of each Subcommittee shall notify the Chairman in writing whenever any measure has been ordered reported by such Subcommittee and is ready for consideration by the full Committee.

D. Draft reports of Subcommittees. All draft reports prepared by Subcommittees of this Committee on any measure or matter referred to it by the Chairman shall be in the

form, style, and arrangement required to conform to the applicable provisions of the Standing Rules of the Senate, and shall be in accordance with the established practices followed by the Committee. Upon completion of such draft reports, copies thereof shall be filed with the chief clerk of the Committee at the earliest practicable time.

E. Impact statements in reports. All Committee reports, accompanying a bill or joint resolution of a public character reported by the Committee, shall contain (1) an estimate, made by the Committee, of the costs which would be incurred in carrying out the legislation for the then current fiscal year and for each of the next 5 years thereafter (or for the authorized duration of the proposed legislation, if less than 5 years); and (2) a comparison of such cost estimates with any made by a Federal agency; or (3) in lieu of such estimate or comparison, or both, a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(a), Standing Rules of the Senate.)

Each such report shall also contain an evaluation, made by the Committee, of the regulatory impact which would be incurred in carrying out the bill or joint resolution. The evaluation shall include (a) an estimate of the numbers of individuals and businesses who would be regulated and a determination of the groups and classes of such individuals and businesses, (b) a determination of the economic impact of such regulation on the individuals, consumers, and businesses affected, (c) a determination of the impact on the personal privacy of the individuals affected, and (d) a determination of the amount of paperwork that will result from the regulations to be promulgated pursuant to the bill or joint resolution, which determination may include, but need not be limited to, estimates of the amount of time and financial costs required of affected parties, showing whether the effects of the bill or joint resolution could be substantial, as well as reasonable estimates of the recordkeeping requirements that may be associated with the bill or joint resolution. Or, in lieu of the forgoing evaluation, the report shall include a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(b), Standing Rules of the Senate.)

RULE 7. SUBCOMMITTEES AND SUBCOMMITTEE PROCEDURES

A. Regularly established Subcommittees. The Committee shall have three regularly established Subcommittees. The Subcommittees are as follows:

Permanent Subcommittee on Investigations
Subcommittee on Federal Spending Oversight and Emergency Management
Subcommittee on Regulatory Affairs and Federal Management

B. Ad hoc Subcommittees. Following consultation with the Ranking Minority Member, the Chairman shall, from time to time, establish such ad hoc Subcommittees as he/she deems necessary to expedite Committee business.

C. Subcommittee membership. Following consultation with the Majority Members, and the Ranking Minority Member of the Committee, the Chairman shall announce selections for membership on the Subcommittees referred to in paragraphs A and B, above.

(1) The Chairman and Ranking Minority Member shall serve as nonvoting ex officio members of the subcommittees on which they do not serve as voting members.

(2) Any Member of the Committee may attend hearings held by any subcommittee and question witnesses testifying before that Subcommittee, subject to the approval of the Subcommittee Chairman and Ranking Member.

D. Subcommittee meetings and hearings. Each Subcommittee of this Committee is authorized to establish meeting dates and adopt rules not inconsistent with the rules of the Committee except as provided in Rules 2(D) and 7(E).

E. Subcommittee subpoenas Each Subcommittee is authorized to adopt rules concerning subpoenas which need not be consistent with the rules of the Committee; provided, however, that in the event the Subcommittee authorizes the issuance of a subpoena pursuant to its own rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48–hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

F. Subcommittee budgets. During the first year of a new Congress, each Subcommittee that requires authorization for the expenditure of funds for the conduct of inquiries and investigations, shall file with the chief clerk of the Committee, by a date and time prescribed by the Chairman, its request for funds for the two (2) 12-month periods beginning on March 1 and extending through and including the last day of February of the 2 following years, which years comprise that Congress. Each such request shall be submitted on the budget form prescribed by the Committee on Rules and Administration, and shall be accompanied by a written justification addressed to the Chairman of the Committee, which shall include (1) a statement of the Subcommittee's area of activities, (2) its accomplishments during the preceding Congress detailed year by year, and (3) a table showing a comparison between (a) the funds authorized for expenditure during the preceding Congress detailed year by year, (b) the funds actually expended during that Congress detailed year by year, (c) the amount requested for each year of the Congress, and (d) the number of professional and clerical staff members and consultants employed by the Subcommittee during the preceding Congress detailed year by year and the number of such personnel requested for each year of the Congress. The Chairman may request additional reports from the Subcommittees regarding their activities and budgets at any time during a Congress. (Rule XXVI, Sec. 9, Standing Rules of the Senate.)

RULE 8. CONFIRMATION STANDARDS AND PROCEDURES

A. Standards. In considering a nomination, the Committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The Committee shall recommend confirmation, upon finding that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

B. Information concerning the Nominee. Each nominee shall submit the following information to the Committee:

(1) A detailed biographical resume which contains information relating to education, employment, and achievements;

(2) Financial information, in such specificity as the Committee deems necessary, including a list of assets and liabilities of the nominee and tax returns for the 3 years preceding the time of his or her nomination, and copies of other relevant documents requested by the Committee, such as a proposed blind trust agreement, necessary for the Committee's consideration; and,

(3) Copies of other relevant documents the Committee may request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office. At the request of the Chairman or the Ranking Minority Member, a nominee shall be required to submit a certified financial statement compiled by an independent auditor. Information received pursuant to this subsection shall be made available for public inspection; provided, however, that tax returns shall, after review by persons designated in subsection (C) of this rule, be placed under seal to ensure confidentiality.

C. Procedures for Committee inquiry. The Committee shall conduct an inquiry into the experience, qualifications, suitability, and integrity of nominees, and shall give particular attention to the following matters:

(1) A review of the biographical information provided by the nominee, including, but not limited to, any professional activities related to the duties of the office to which he or she is nominated;

(2) A review of the financial information provided by the nominee, including tax returns for the 3 years preceding the time of his or her nomination;

(3) A review of any actions, taken or proposed by the nominee, to remedy conflicts of interest; and

(4) A review of any personal or legal matter which may bear upon the nominee's qualifications for the office to which he or she is nominated. For the purpose of assisting the Committee in the conduct of this inquiry, a Majority investigator or investigators shall be designated by the Chairman and a Minority investigator or investigators shall be designated by the Ranking Minority Member. The Chairman, Ranking Minority Member, other Members of the Committee, and designated investigators shall have access to all investigative reports on nominees prepared by any Federal agency, except that only the Chairman, the Ranking Minority Member, or other Members of the Committee, upon request, shall have access to the report of the Federal Bureau of Investigation. The Committee may request the assistance of the U.S. Government Accountability Office and any other such expert opinion as may be necessary in conducting its review of information provided by nominees.

D. Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee shall be made in the case of judicial nominees and may be made in the case of non-judicial nominees by the designated investigators to the Chairman and the Ranking Minority Member and, upon request, to any other Member of the Committee. The report shall summarize the steps taken by the Committee during its investigation of the nominee and the results of the Committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

E. Hearings. The Committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she will pursue while in that position. No hearing shall be held until at least

72 hours after the following events have occurred: The nominee has responded to prehearing questions submitted by the Committee; and, if applicable, the report described in subsection (D) has been made to the Chairman and Ranking Minority Member, and is available to other Members of the Committee, upon request.

F. Action on confirmation. A mark-up on a nomination shall not occur on the same day that the hearing on the nominee is held. In order to assist the Committee in reaching a recommendation on confirmation, the staff may make an oral presentation to the Committee at the mark-up, factually summarizing the nominee's background and the steps taken during the pre-hearing inquiry.

G. Application. The procedures contained in subsections (C), (D), (E), and (F) of this rule shall apply to persons nominated by the President to positions requiring their full-time service. At the discretion of the Chairman and Ranking Minority Member, those procedures may apply to persons nominated by the President to serve on a part-time basis.

RULE 9. PERSONNEL ACTIONS AFFECTING COMMITTEE STAFF

In accordance with Rule XLII of the Standing Rules of the Senate and the Congressional Accountability Act of 1995 (P.L. 104–1), all personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, state of physical handicap, or disability.

RULE 10. APPRISAL OF COMMITTEE BUSINESS

The Chairman and Ranking Minority Member shall keep each other apprised of hearings, investigations, and other Committee business.

RULE 11. PER DIEM FOR FOREIGN TRAVEL

A per diem allowance provided a Member of the Committee or staff of the Committee in connection with foreign travel shall be used solely for lodging, food, and related expenses and it is the responsibility of the Member of the Committee or staff of the Committee receiving such an allowance to return to the United States Government that portion of the allowance received which is not actually used for necessary lodging, food, and related expenses. (Rule XXXIX, Paragraph 3, Standing Rules of the Senate.)

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–83, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost $70 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16–83

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Republic of Korea.

(ii) Total Estimated Value:

Major Defense Equipment* $66 million.

Other $4 million.

Total $70 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Eighty-nine (89) AGM–65G–2 Maverick Missiles.

Non-MDE includes:

Missile containers and other related elements of support.

(iv) Military Department: Air Force (KS–D–YHF).

(v) Prior Related Cases, if any: FMS Case KS–D–YAF–$22.55M—14 Mar 12.

(vi) Sales Commission, Fee, etc., Paid. Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached,

(viii) Date Report Delivered to Congress: January 31, 2017.

*as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Republic of Korea—AGM–65G–2 Maverick Missiles

The Government of the Republic of Korea (ROK) has requested the potential sale of eighty-nine (89) AGM–65G–2 Maverick missiles, missile containers and other related elements of support. The total estimated program cost is $70 million.

This proposed sale contributes to the foreign policy and national security of the United States. The ROK is one of the major political and economic powers in East Asia and the Western Pacific and a key partner of the United States in ensuring peace and stability in the region. It is vital to U.S. national interests to assist our Korean ally in developing and maintaining a strong and ready self-defense capability. This sale increases the ROK's capability to participate in Pacific regional security operations and improves its national security posture as a key U.S. ally.

The proposed sale will improve the ROK's capability to meet current and future threats. The ROK will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. The ROK, which already has AGM–65G missiles in its inventory, will have no difficulty absorbing these additional missiles.

The proposed sale of this equipment and support does not affect the basic military balance in the region.

The principal contractor is Raytheon, Tucson, AZ. At this time, there are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Republic of Korea.

There is no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16–83

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AGM–65G–2 Maverick is an air-to-ground close air support missile with a lock on before launch day or night capability. The G model has an imaging infrared (IIR) guidance system. The infrared Maverick G can track heat generated by a target and provides the pilot a pictorial display of the target during darkness and hazy or inclement weather. The warhead on the Maverick G is a heavyweight penetrator warhead. Maverick hardware is UNCLASSIFIED. Performance and operating logic of the countermeasures circuits are SECRET. Overall system classification is SECRET.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon effectiveness or be used in the development of a system with similar or advanced capabilities.

3. This sale is necessary to further the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–85, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost $70 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. RIXEY,
Vice Admiral, USN Director.

Enclosures.

TRANSMITTAL NO. 16–85

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Republic of Korea.

(ii) Total Estimated Value:

Major Defense Equipment* $60 million.

Other $10 million.

Total $70 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Sixty (60) AIM–9X–2 Sidewinder Block II All-Up-Round Missiles.

Six (6) AIM–9X–2 Block II Tactical Guidance Units.

Non-MDE include:

Containers, spares and missile support, U.S. government and contractor technical assistance, and other related elements of logistics support.

(iv) Military Department: Navy (KS-P-AMA).

(v) Prior Related Cases, if any: FMS Case KS-P-AKR, KS-P-AKZ.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: January 31, 2017.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Republic of Korea—AIM–9X–2 Sidewinder Missiles

The Government of the Republic of Korea (ROK) has requested a possible sale of sixty (60) AIM–9X–2 Sidewinder Block II All-up-Round Missiles and six (6) AIM–9X–2 Block II Tactical Guidance Units, containers, spares and missile support, U.S. Government and contractor technical assistance, and other related elements of logistics support. The estimated cost is $70 million.

This proposed sale contributes to the foreign policy and national security of the United States. The ROK is one of the major political and economic powers in East Asia and the Western Pacific and a key partner of the United States in ensuring peace and stability in the region. It is vital to U.S. national interests to assist our Korean ally in developing and maintaining a strong and ready self-defense capability. This sale increases the ROK's capability to participate in Pacific regional security operations and improves its national security posture as a key U.S. ally.

The ROK intends to use the AIM–9X–2 Sidewinder Block II missiles to supplement its existing inventory of AIM–9X–2 Block II missiles. The ROK will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. The ROK will have no difficulty absorbing these additional missiles into its armed forces.

The proposed sale of this equipment and support does not affect the basic military balance in the region.

The principal contractor is Raytheon Missile Systems Company, Tucson, AZ. At this time, there are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Republic of Korea. However, U.S. Government or contractor personnel in-country visits will be required on a temporary basis in conjunction with program technical oversight and support requirements.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16–85

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AIM–9X–2 Block II Sidewinder Missile represents a substantial increase in missile acquisition and kinematics performance over the AIM–9M and replaces the AIM–9X Block I Missile configuration. The missile includes a high off-bore sight seeker, enhanced countermeasures rejection capability, low drag/high angle of attack airframe and the ability to integrate the Helmet Mounted Cueing System. The software algorithms are the most sensitive portion of the AIM–9X–2 missile. The software continues to be modified via a pre-planned production improvement (P31) program in order to improve its counter-countermeasure capabilities. No software source code or algorithms will be released. The missile is classified as CONFIDENTIAL.

2. The AIM–9X–2 will result in the transfer of sensitive technology and information. The equipment, hardware, and documentation are classified CONFIDENTIAL. The software and operation performance are classified SECRET. The seeker/guidance control section and the target detector are CONFIDENTIAL and contain sensitive state-of-the-art technology. Manuals and technical documentation that are necessary for support operational use and organizational management are classified to SECRET. Performance and operating logic of the counter-measures circuits are classified SECRET. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters and similar critical information.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the recipient country can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

TRIBUTE TO BRIGADIER GENERAL FRANCIS XAVIER TAYLOR

Mrs. FEINSTEIN. Mr. President, today I wish to recognize an extraordinary public servant and a dedicated leader of the U.S. intelligence community, Brig. Gen. Francis Xavier Taylor, the Under Secretary for Intelligence and Analysis, I&A, at the Department of Homeland Security.

I had the pleasure of presiding as chairman of the Intelligence Committee for the confirmation hearing for General Taylor in 2014 and have witnessed his leadership over the past 2 and a half years as I&A has made perhaps the most impressive progress of any intelligence agency over this time.

After nearly 40 years of honorable service to our Nation, Under Secretary Taylor retired on the last day of the Obama administration.

Prior to his work at DHS, Frank Taylor served for 31 years in the U.S. Air Force and at the U.S. Department of State as an ambassador for counterterrorism and head of diplomatic security. He also served as vice president of security at General Electric. For the past 2 years, he has applied the leadership skills, understanding of security at home and abroad, and his close personal friendship with Secretary Jeh Johnson to transform the Office of Intelligence and Analysis.

I&A's mission is to equip the Homeland Security Enterprise with timely intelligence and information it needs to keep the homeland safe, secure, and resilient. It provides critical intelligence to the leadership of the DHS and its components; State, local, tribal, and territorial governments, and private sector partners. The office itself was formed after the creation of DHS through the Homeland Security Act of 2002 and has seen significant change and disruption in its short lifetime. Due to Under Secretary Taylor's leadership, I&A is much further along on its vision of becoming a premier element of the IC, driving information sharing and delivering unique predictive intelligence and analysis to operators and decisionmakers at all levels.

During his confirmation hearing, General Taylor was asked why I&A needed to exist, given the domestic mission of the FBI and the analytic work of the National Counterterrorism Center. He was asked to justify the office's existence if it produced one analytic product per employee per year. Members questioned him on the need for State and local fusion centers and the support provided to them by the Federal Government. I focused my questions on why an intelligence agency should have more than 60 percent of its staffing come from a contractor workforce.

As we begin 2017, those questions are no longer applicable. Under Secretary Taylor has transformed the organization. He removed internal I&A stovepipes and realigned the organization to more closely reflect the intelligence cycle. Where homeland intelligence analysis had too often relied on repackaging products from other members of the IC, DHS collection now forms the basis of I&A production. Under Secretary Taylor also ordered that finished intelligence include DHS and State-local-tribal Partner data. Within 1 year, the organization achieved great success on this front, ensuring 80 percent of finished intelligence in fiscal year 2016 included unique homeland-derived data. Under his leadership, I&A is fulfilling the unique homeland-focused role that Congress intended. The contract workforce is below 25 percent and the office is producing valuable intelligence analysis, tips to law enforcement, compiling and improving the quality of DHS data for intelligence purposes, strengthening our watch listing capability, and lending expertise to decision makers from the President down to the cop on the beat.

Under Secretary Taylor has worked tirelessly to mature and strengthen the Department's relationship with the State and local fusion centers and make information sharing a priority, changing the way the IC analyzes the domestic threat picture. When I have visited my local fusion center in San

Francisco, I receive nothing but praise for the support that I&A provides and the importance of local, State, and Federal information sharing. The most recent example of this partnership is the Field Analysis Report, FAR, an intelligence report written by State and local intelligence analysts in coordination with I&A for the State and local audience. This is an important development from intelligence handed down from intelligence agencies inside the Federal beltway that, at times, misses the mark of what the local customer needs. FARs are among the most highly rated finished intelligence products coming out of I&A and are a direct result of General Taylor's vision.

Under Secretary Taylor also took to heart the need to invest in the workforce and address extremely low employee morale. He has restructured the workforce, drastically reducing the ratio of supervisors to workers, streamlining management and developing what he calls ''seed corn''—young, junior intelligence professionals brought in to rejuvenate the organization and help develop a truly homeland-focused workforce. Besides shifting the balance of the staff, Under Secretary Taylor focused on hiring, growing, and investing in the workforce and ensuring that inherently governmental work is done by governmental employees and clear communication between the workforce and the leadership.

Members of the Intelligence Committee spend most of our time on international events and the often controversial practices of the CIA, NSA, and FBI. We have had the luxury in the recent past not to have to worry on the intelligence coming from and provided to our homeland security professionals because of the leadership and uncommon skill of Under Secretary Frank Taylor. We owe him a tremendous debt of gratitude. I wish to thank Under Secretary Taylor for his decades of exceptional service to our country and to wish him and his wife, Connie, the very best in the days and years ahead as he retires for the fourth time.

Thank you.

REMEMBERING ROBERT JUSTIN STEVENS

Mr. McCAIN. Mr. President, I rise today in fond memory of Robert Justin Stevens, a former staffer of mine who recently passed away—entirely too young—after a long, arduous fight with cancer.

Justin was exemplary in his desire to serve and his love for public policy and politics. He was a dedicated public servant who worked tirelessly to improve the lives of Americans. Over the last few years, Justin managed Federal policy and advocacy for homeland security, public safety, and military-related issues as legislative director with the National Governors Association.

Before that, Justin worked with me and later with Senator SCOTT Brown as a professional staff member at the Senate Homeland Security and Governmental Affairs Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security. There, he helped us to identify and address waste, fraud, and abuse in government spending and financial improvement, audit readiness, and business transformation at our Federal agencies. During my 2008 Presidential campaign, Justin served as a senior advance team lead. It was in that context that I was first introduced to Justin's boundless love of life and energy.

Justin also served as the director for candidate operations and advance for the Scott Brown for Senate 2012 campaign; a financial systems analyst with the EMCOR Group; and a Navy/NASA University Faculty Fellowship program manager with the American Society for Engineering Education, ASEE.

Justin never took his young life for granted. An avid runner and adventurous soul, Justin sought to improve himself by taking courses in furtherance of a master's in national security and strategic studies at the U.S. Naval War College, after having received a B.S. in business administration from the University of Florida and graduating East Lake High School. Also, unbowed by his continuing struggle with cancer and always filled with hope, Justin married the love of his life, Elizabeth.

Justin will be forever remembered for the joy he brought to the lives of his family, friends, and colleagues with his humor, energy, and selflessness. Throughout his young life, Justin always made sure that those closest to him knew how important they were to him.

Cindy and I extend our warmest condolences to Justin's wife, Elizabeth; his mother, Karen; his stepmother, Jean Nowakowski, with whom Justin was exceptionally close; his siblings, Bryan and Damon; his niece, Magdalena and nephew Jackson.

REMEMBERING DR. HENRY HEIMLICH

Mr. PORTMAN. Mr. President, today I wish to pay tribute to the life of a famous Ohioan, Dr. Henry Heimlich.

The son of Jewish immigrants who fled Central and Eastern Europe for a better life in America, Henry Judah Heimlich spent his life helping others.

As a 21-year-old medical student, he was riding a train from Connecticut to New York City when the train derailed. Henry rescued one of his fellow passengers that day. That was the first of the many lives he would save.

By 23, he had his medical degree. Two years later, he left his internship at Boston City Hospital to serve in the Navy during World War II. He was sent to treat American Marines and Chinese soldiers in the Gobi desert of Inner Mongolia, behind Japanese lines. In those rugged conditions, he came up with a new solution to help there hundreds of people there who had a certain bacterial infection that caused blindness.

In 1957, after sketching the idea on the back of a napkin, he became the first American doctor to repair a damaged esophagus using a tube made from the patient's stomach. A year later, it became a standard procedure in the United States.

In 1964, based on those experiences during World War II operating without electricity in the Gobi desert, he invented the Heimlich chest drain valve, which drained blood and air out of the chest to help those with gunshot wounds or collapsed lungs. It all started with a toy noisemaker he found at a dime store. He noticed that the toy had a flutter valve, which he realized could be used as a model for a valve to prevent fluids from flowing back into the lungs.

This invention was immediately used to save the lives of American soldiers serving in Vietnam, and more than 4 million of these valves have sold since then.

In 1968, Dr. Heimlich moved to my hometown of Cincinnati and became surgery director of Jewish Hospital and professor of surgery at the University of Cincinnati. He taught at UC until 1978, when he became a professor of advanced clinical science at Cincinnati's Xavier University. He taught at Xavier until 1989.

In 1974, he became famous around the world for finding a better way to save someone from choking.

At that time, some 4,000 Americans were dying every year from choking, and it was one of the leading causes of accidental death. Many of those victims were kids who choked on small toys.

With a great feeling of compassion for them, Dr. Heimlich set out to find a solution. Whatever it was, it would have to be a quick and efficient solution because, within just 4 minutes of being deprived of oxygen, the brain becomes irreversibly damaged.

Dr. Heimlich thought that the conventional techniques used at that time were not just ineffective but actually harmful because they risked pushing the blockage farther down the windpipe, making the problem worse.

At Jewish Hospital in Cincinnati, Dr. Heimlich led 2 years of research that discovered a new, more effective technique of dislodging objects from the esophagus: putting pressure just below the diaphragm to create upward air pressure in the chest. Just days after it was made public, a restaurant owner in Washington State used it to save someone's life.

It was simple and easy—so simple that, within a few years, a 5-year-old boy in Massachusetts used it to save one of his friends. You can even use it on yourself if necessary.

As Dr. Heimlich put it, ''the best thing about it is that it allows anyone to use it to save a life.'' Everyone can and should learn this technique.

Letters began pouring in. Within a year, Dr. Heimlich received some 200 from people around the country who had successfully used the Heimlich maneuver to save a life and the American Medical Association had endorsed it. Within 2 years, the American Red Cross recommended it.

The Heimlich maneuver is estimated by some to have saved as many as 50,000 or even 100,000 lives just in America—not to mention countless others around the world.

To put a face to these numbers, consider that the Heimlich maneuver has saved the lives of future-President Ronald Reagan in 1976. It has saved the lives of New York City Mayor Ed Koch, basketball commentator Dick Vitale, news anchorman John Chancellor, television personality Simon Cowell, as well as actors Walter Matthau, Elizabeth Taylor, Marlene Dietrich, Carrie Fisher, Goldie Hawn, Nicole Kidman, and Halle Berry, and so many other people who have touched our lives. The maneuver has been used by Cincinnati Reds third basemen Todd Frazier, Israeli Prime Minister Ehud Barak at Camp David, and an 83-year-old Clint Eastwood.

We have all benefited from this innovative technique.

This discovery, I think, really sums up Dr. Heimlich's life, because he used to say that his focus was to find ''simple, creative solutions to seemingly insurmountable health and medical problems.'' Time and again, he did just that, authoring more than 100 scientific papers and presenting more than 250 medical lectures over his lifetime.

In 1980, he invented the MicroTrach, a more efficient portable oxygen system that, because of its smaller size, gave patients more mobility. In 1981, Dr. Heimlich received the ''Distinguished Service Award'' from his colleagues with the American Society of Abdominal Surgeons, and he received the 1984 ''Arthur Lasker Award for Public Service'' for his ''simple, practical, cost-free solution to a life-threatening emergency, requiring neither great strength, [nor] special equipment [n]or elaborate training.''

In 1985, Surgeon General C. Everett Koop declared that the Heimlich maneuver was the best method to be used when someone is choking. From 1986 to 2005, the American Red Cross and the American Heart Association issued the same recommendation.

Dr. Heimlich's medical career lasted some 70 years. In his final years, he remained active, swimming and exercising regularly. Living at a retirement home run by Episcopal Retirement Services in Cincinnati, he saved the life of an 87-year-old fellow resident named Patty Ris this past May using his famous maneuver.

Dr. Heimlich passed away on December 17 at age 96 at Christ Hospital in Cincinnati. He was married to his wonderful wife, Jane, for 61 years, and he is survived by his four children and three grandchildren.

His son Phil is a good friend of mine and a former Cincinnati city councilman and Hamilton County commissioner.

Jane and I send our condolences to our friends in the Heimlich family. We are grateful for Dr. Heimlich's work and for his life. We will miss him, but even in his absence, his ideas will live on and continue to save lives.

Thank you.

TRIBUTE TO LAYNE BANGERTER

Mr. CRAPO. Mr. President, today I wish to recognize the outstanding work of a longtime member of my Senate staff, Layne Bangerter, who has been appointed as special assistant to President Donald Trump.

Layne has been a valued member of my staff for more than 13 years. Serving as director of agriculture and natural resources, he has provided sound counsel on critical issues for our State. For example, Layne dedicated countless hours to crafting the Owyhee Public Land Management Act and has worked to ensure sound implementation of the agreement. His well-honed ability to build relationships has been key to the success of this and many other efforts.

As a rancher and farmer, Layne has unique on-the-ground experience with how Federal policies affect land, water, and people. He also has significant understanding from his work for the U.S. Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services and the U.S. Fish and Wildlife Service. He has used this experience to inform a number of critical agricultural and natural resources issues, including wildlife, conservation, forestry, water, and agricultural programs. He knows the right balance needs to be struck between conservation and responsible natural resources practices and that the one-size-fits-all approach never works in real America. Layne is the kind of guy that you want in your corner—he listens, uses common sense, and then works to come up with the best possible solutions.

Layne is positive, encouraging, and affable while also having a pragmatism shaped by extensive experience. His insight will no doubt be extremely valuable to the Trump administration. While I will miss having Layne as a member of my staff, I wish him all the best in this new endeavor and look forward to our continued friendship. Thank you, Layne, for your hard work on behalf of Idahoans and our country, and congratulations on this next step in your career. I wish you, Betsy, and your wonderful family continued success.

TRIBUTE TO ADELE GRIFFIN

Mr. RUBIO. Mr. President, today I want to recognize Adele Griffin, a longtime Senate staffer in my Jacksonville office, for her years of hard work; for me, my staff, and the people of the State of Florida.

A fifth-generation Floridian, Adele previously worked under Senator Mel Martinez and Senator George LeMieux before her time in my office. Adele has been a dedicated and diligent leader who took special pride in addressing the many issues facing northeast Florida over the years.

I would like to extend my sincere thanks and appreciation to Adele for all the great work she has done and wish her a happy retirement.

ADDITIONAL STATEMENTS

TRIBUTE TO RON CHASTAIN

• Mr. BOOZMAN. Mr. President, today I wish to recognize MG Ron Chastain for his four decades of service to the State of Arkansas and to our Nation. For 32 years, he worked at the U.S. Department of Agriculture's Farm Service Agency and served for the last 6 years as my Agricultural Liaison in Arkansas. He has also enjoyed a distinguished military career in the Arkansas National Guard that spanned nearly four decades.

Ron was born and raised in Arkansas and graduated from Arkansas Tech University with a degree in biology in 1972. In 1974, he began his career with the USDA. He was the supervisory program specialist in Arkansas and dealt with Federal farm programs at the county, district, and State levels. He is a recipient of the USDA Service to Agriculture Award and also received recognition for his suggestions that improved the administration of Federal farm programs.

At the same time, Major General Chastain was a dedicated member of the Army National Guard serving our State and Nation on weekends, evenings, and multiple overseas deployments. While in uniform, he honorably served as deputy commanding general for the Arkansas Army National Guard at the U.S. Army Forces Command, the adjutant general of the Arkansas National Guard, as Chief of Staff, wartime, of U.S. Forces Korea, commander of the 39th Brigade Combat Team in Iraq, and commander of the 25th Rear Operations Center during Operation Desert Storm. A veteran of two wars, Major General Chastain was awarded the Army Distinguished Service Medal, Legion of Merit, and two Bronze Star medals. He has also been inducted into the distinguished Arkansas Military Veterans' Hall of Fame.

In 2010, ''the General'' retired from the Arkansas Army National Guard. Shortly thereafter, I called to congratulate him on his impressive military career, and during our conversation, he said he would be happy to help me in any way he could. I knew that he could bring his unique experience and expertise to help me represent the agriculture community in Arkansas, so I asked him to join my staff.

As a member of my team, Major General Chastain has been a professional

and tireless advocate on behalf of Arkansas' farmers and ranchers. The Arkansas Farm Bureau recently recognized his hard work and contribution to our State's agriculture community. Ron also educated thousands of young Arkansans about the history and proper care of the U.S. and Arkansas flags during his time with my office.

MG Ron Chastain dedicated his career to leading and serving others. I want to thank him for all that he has done on behalf of Arkansas, and I wish him well on his retirement. I know he will enjoy spending more time with his family and working on his farm. As a model public servant for so many years, his retirement and all the recognition he has garnered are well deserved.●

RECOGNIZING xCRAFT ENTERPRISES, LLC

● Mr. RISCH. Mr. President, my home State of Idaho has long been known for its incredible natural resources and vibrant agricultural economy. What some may not know, though, is that Idaho is also home to a burgeoning technology industry, thanks to a number of impressive innovators who bring their entrepreneurial spirit and innovations to our State. As chairman of the Senate Committee on Small Business and Entrepreneurship, it is my pleasure to recognize one of these great innovators, xCraft Enterprises, LLC in Coeur d'Alene, as the Senate Small Business of the Month for January 2017. xCraft has made Idaho proud with their considerable success and continuous innovation in and contribution to the unmanned aerial vehicle, UAV, or drone, industry.

Cofounder and CEO JD Claridge has always had a passion for flight. He built numerous flying toys as a child, and at the age of just 7, he constructed a hang glider and even convinced a friend to test it. JD harnessed this lifelong love of flying and started xCraft Enterprises, LLC, along with fellow aviation enthusiast, Charles Manning. Their vision for the company was to develop small, powerful, long-range drones that serve the needs of both hobbyists and commercial customers. With the expertise and skills of their team of highly educated engineers and business people, they have turned their aviation dream into a successful small business endeavor.

xCraft's patent-pending drones are built with lightweight materials that allow for long-range flight and are also capable of flying preprogrammed GPS-enabled flight paths. Notably, the company has designed a drone which has the ability to carry and utilize a smartphone, making it possible to link advanced smartphone technology to an economically priced small drone. In addition, xCraft has been recognized as a leader in the UAV and technology industries for producing one of the fastest racing drones available on the market today, exceeding speeds of 100 miles per hour. This continuous innovation and reinvention adds an immense value to the numerous and diverse industries that drones play a major role in, helping to drive the entire American economy forward.

Today xCraft offers seven drones of varying sizes and capabilities. There is no telling what their next innovation will be, but I know it will be another great contribution to their industry and the many others that depend upon it. It is my honor to recognize JD, Charles, and all of the employees at xCraft Enterprises, LLC in Coeur d'Alene. Thank you for your commitment to innovation and for carrying on the entrepreneurial spirit that is so valued in our great State of Idaho. I look forward to following your continued growth and success.●

REMEMBERING ELIZABETH HOWARD SWAIN

● Mr. SANDERS. Mr. President, today I wish to honor Elizabeth Howard Swain. Elizabeth was a lifelong champion of community health care centers, as well as the people they serve, and a wonderful colleague, mother, and friend.

After graduating from Boston University with a B.A. in sociology and a master's degree in political economics, Elizabeth moved with her family to Seattle, WA. In 1981, she began working at Seattle's 45th Street Clinic, a Federally Qualified Health Center, FQHC, and eventually became the executive director, a position she held for 10 years. Elizabeth founded the Community Health Plan of Washington and worked as the regional health officer at Public Health of Seattle and King County, as well as the assistant vice president for public policy for the Community Health Network of Washington.

In 2005, Elizabeth was recruited to be CEO of the Community Health Care Association of New York State, an advocacy organization that supports more than 65 FQHCs. In Albany, she was a strong advocate for community-based primary care and was known for her ability to bring rival forces together and create partners out of adversaries.

Elizabeth also championed FQHC's and the importance of community-based primary care in the American health system in regular meetings with members and staff of the U.S. Senate Health, Education, Labor, and Pension Committee. While Elizabeth was grateful that I secured significant funding for FQHCs through the Affordable Care Act, as a strong supporter of universal health care, she was disappointed that neither the ''public option'' provision, much less a single-payer Medicare for all plan, were part of the ACA. Elizabeth remained true to her commitment to provide quality health care for all Americans, and she did all of this with tremendous energy and compassion for the most vulnerable and medically underserved populations.

Elizabeth understood the need to move health care dollars into the front end of the system, where they could be used more efficiently to prevent illness, through patient care management, case management and nutrition, and by keeping people out of expensive hospital settings. She also recognized the critical need for all-inclusive and integrated health care, including dental care and mental health services, in both urban and rural communities served by FQHC's.

Elizabeth will be sorely missed. She is survived by her sisters Julia, Cynthia, and Judith and children Kalil, Carmen, and Alexis.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committee.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:01 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 58. An act to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, and for other purposes.

H.R. 276. An act to amend title 49, United States Code, to ensure reliable air service in American Samoa.

H.R. 347. An act to amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, and for other purposes.

H.R. 366. An act to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, and for other purposes.

H.R. 437. An act to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities.

H.R. 505. An act to amend the Homeland Security Act of 2002 to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes.

H.R. 526. An act to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes.

H.R. 549. An act to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes.

H.R. 584. An act to amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, and for other purposes.

H.R. 612. An act to establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity.

H.R. 642. An act to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes.

H.R. 655. An act to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes.

H.R. 665. An act to modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies, and for other purposes.

H.R. 666. An act to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes.

H.R. 677. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

H.R. 678. An act to require an assessment of fusion center personnel needs, and for other purposes.

H.R. 687. An act to amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes.

H.R. 690. An act to amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office, and for other purposes.

H.R. 697. An act to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes.

At 5:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 38. Joint resolution disapproving the rule submitted by the Department of the Interior known as the Stream Projection Rule.

H.J. Res. 41. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to ''Disclosure of Payments by Resource Extraction Issuers''.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 58. An act to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 276. An act a bill to amend title 49, United States Code, to ensure reliable air service in American Samoa; to the Committee on Commerce, Science, and Transportation.

H.R. 339. An act to amend Public Law 94–241 with respect to the Northern Mariana Islands; to the Committee on Energy and Natural Resources.

H.R. 347. An act to amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 366. An act to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 381. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as ''Sky Point'' ; to the Committee on Energy and Natural Resources.

H.R. 437. An act to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities; to the Committee on Homeland Security and Governmental Affairs.

H.R. 505. An act to amend the Homeland Security Act of 2002 to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 526. An act to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 538. An act to redesignate Ocmulgee National Monument in the State of Georgia and revise its boundary, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 549. An act to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 558. An act to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 584. An act to amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 612. An act to establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity; to the Committee on Homeland Security and Governmental Affairs.

H.R. 642. An act to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 655. An act to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 665. An act to modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 666. An act to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 677. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 678. An act to require an assessment of fusion center personnel needs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 687. An act to amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 690. An act to amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 697. An act to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 274. A bill to nullify the effect of the recent executive order that temporarily restricted individuals from certain countries from entering the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. Res. 30. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

By Ms. COLLINS, from the Special Committee on Aging, without amendment:

S. Res. 31. An original resolution authorizing the expenditures by the Special Committee on Aging.

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship, without amendment:

S. Res. 32. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. Res. 33. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. Res. 34. An original resolution authorizing expenditures by the Committee on Homeland Security and Governmental Affairs.

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. Res. 36. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. Res. 37. An original resolution authorizing expenditures by the Committee on Foreign Relations.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. Res. 39. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

H.R. 255. An act to authorize the National Science Foundation to support entrepreneurial programs for women.

H.R. 321. An act to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HATCH for the Committee on Finance.

*Steven T. Mnuchin, of California, to be Secretary of the Treasury.

*Thomas Price, of Georgia, to be Secretary of Health and Human Services.

By Mr. GRASSLEY for the Committee on the Judiciary.

Jeff Sessions, of Alabama, to be Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 249. A bill to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land, and for other purposes; to the Committee on Indian Affairs.

By Mr. SCHATZ (for himself, Ms. HASSAN, Mrs. SHAHEEN, Ms. HIRONO, and Ms. CANTWELL):

S. 250. A bill to prohibit any hiring freeze from affecting any Department of Defense position at, or in support of, a public shipyard; to the Committee on Armed Services.

By Mr. WYDEN (for himself, Mr. HEINRICH, and Ms. STABENOW):

S. 251. A bill to repeal the Independent Payment Advisory Board in order to ensure that it cannot be used to undermine the Medicare entitlement for beneficiaries; to the Committee on Finance.

By Mr. NELSON (for himself, Mr. LEAHY, Mr. DURBIN, Mr. KING, Mr. REED, Mr. BLUMENTHAL, Mr. BROWN, Ms. STABENOW, Mr. SANDERS, Ms. BALDWIN, Ms. HIRONO, Mr. UDALL, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. WHITEHOUSE):

S. 252. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program; to the Committee on Finance.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. CASEY, and Mr. HELLER):

S. 253. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps; to the Committee on Finance.

By Mr. UDALL (for himself, Ms. MURKOWSKI, Ms. HEITKAMP, Mr. TESTER, Mr. FRANKEN, Mr. HEINRICH, and Mr. SCHATZ):

S. 254. A bill to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages; to the Committee on Indian Affairs.

By Mr. SCHATZ (for himself, Mr. BROWN, Mrs. MURRAY, Mr. CARDIN, and Mr. VAN HOLLEN):

S. 255. A bill to increase the rates of pay under the General Schedule and other statutory pay systems and for prevailing rate employees by 3.2 percent, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HEITKAMP (for herself and Ms. COLLINS):

S. 256. A bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself and Ms. COLLINS):

S. 257. A bill to clarify the boundary of Acadia National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself and Mr. RUBIO):

S. 258. A bill to provide for the restoration of legal rights for claimants under holocaust-era insurance policies; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. RUBIO, and Mr. MENENDEZ):

S. 259. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. RISCH, Mr. ROBERTS, Mr. PORTMAN, Mr. TILLIS, Mr. CASSIDY, Mr. RUBIO, Mr. GRASSLEY, Mr. MCCAIN, Mr. INHOFE, Mr. FLAKE, Mr. HELLER, Mr. THUNE, Mr. DAINES, Mr. MORAN, Mr. BLUNT, Mr. COCHRAN, Mr. SCOTT, Mr. TOOMEY, Mr. JOHNSON, Mr. ISAKSON, Mr. SHELBY, and Mr. WICKER):

S. 260. A bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board; to the Committee on Finance.

By Mr. BLUNT (for himself, Mr. KING, Mrs. MCCASKILL, Mr. MCCAIN, Mr. BOOZMAN, Mr. SCOTT, and Ms. HEITKAMP):

S. 261. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CAPITO (for herself, Mr. BROWN, Mr. PORTMAN, Mr. CASEY, and Ms. STABENOW):

S. 262. A bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes; to the Committee on Finance.

By Mrs. CAPITO (for herself, Mr. FLAKE, Mr. MANCHIN, Mrs. FISCHER, Mr. CORNYN, and Mr. INHOFE):

S. 263. A bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LANKFORD (for himself and Mr. PAUL):

S. 264. A bill to amend the Internal Revenue Code of 1986 to allow charitable organizations to make statements relating to political campaigns if such statements are made in ordinary course of carrying out its tax exempt purpose; to the Committee on Finance.

By Ms. BALDWIN (for herself, Ms. WARREN, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. VAN HOLLEN, and Mr. MERKLEY):

S. 265. A bill to prevent conflicts of interest that stem from executive Government employees receiving bonuses or other compensation arrangements from nongovernment sources, from the revolving door that raises concerns about the independence of financial services regulators, and from the revolving door that casts aspersions over the awarding of Government contracts and other financial benefits; to the Committee on Homeland Security and Governmental Affairs.

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

S. 266. A bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SULLIVAN (for himself and Ms. MURKOWSKI):

S. 267. A bill to provide for the correction of a survey of certain land in the State of Alaska; to the Committee on Energy and Natural Resources.

By Mr. YOUNG (for himself and Mr. RUBIO):

S. 268. A bill to provide the legal framework necessary for the growth of innovative private financing options for students to

fund postsecondary education, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 269. A bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes; to the Committee on Indian Affairs.

By Mr. ENZI (for himself, Mr. ALEXANDER, Mr. PORTMAN, and Mr. ISAKSON):

S. 270. A bill to prohibit the use of premiums paid to the Pension Benefit Guaranty Corporation as an offset for other Federal spending; to the Committee on the Budget.

By Mrs. FISCHER:

S. 271. A bill to strengthen highway funding in the near term, to offer States additional financing tools, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself, Mr. BROWN, Ms. WARREN, and Mr. MERKLEY):

S. 272. A bill to enhance the security operations of the Transportation Security Administration and the stability of the transportation security workforce by applying a unified personnel system under title 5, United States Code, to employees of the Transportation Security Administration who are responsible for screening passengers and property, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RISCH (for himself, Mr. CRAPO, Mr. HATCH, Mr. HELLER, Mr. LEE, Mr. DAINES, and Mr. ENZI):

S. 273. A bill to provide for the protection and recovery of the greater sage-grouse by facilitating State recovery plans, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. WYDEN, Ms. CANTWELL, Mr. UDALL, Mr. VAN HOLLEN, Mr. MURPHY, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. CARPER, Mr. SANDERS, Mr. MARKEY, Ms. BALDWIN, Mr. CARDIN, Mr. HEINRICH, Ms. HASSAN, Mr. BROWN, Ms. STABENOW, Ms. CORTEZ MASTO, Mr. KAINE, Ms. HARRIS, Mr. LEAHY, Mr. PETERS, Mr. COONS, Mr. MENENDEZ, Mrs. MURRAY, Mr. BOOKER, Mr. WHITEHOUSE, Mr. FRANKEN, Ms. HIRONO, Ms. WARREN, Mr. KING, Mr. CASEY, Mr. WARNER, Mr. REED, Mr. SCHATZ, Mrs. SHAHEEN, Ms. DUCKWORTH, and Mr. BENNET):

S. 274. A bill to nullify the effect of the recent executive order that temporarily restricted individuals from certain countries from entering the United States; read the first time.

By Mr. WYDEN (for himself, Mr. HEINRICH, and Ms. STABENOW):

S.J. Res. 16. A joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. RISCH, Mr. ROBERTS, Mr. PORTMAN, Mr. CASSIDY, Mr. GRASSLEY, Mr. MCCAIN, Mr. INHOFE, Mr. HELLER, Mr. THUNE, Mr. DAINES, Mr. MORAN, Mr. JOHNSON, Mr. ISAKSON, and Mr. SCOTT):

S.J. Res. 17. A joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act; to the Committee on Finance.

By Mr. SULLIVAN (for himself and Ms. MURKOWSKI):

S.J. Res. 18. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Department of the Interior relating to Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska; to the Committee on Energy and Natural Resources.

By Mr. PERDUE (for himself, Mr. COTTON, Mr. ISAKSON, Mr. JOHNSON, Mr. LANKFORD, Mr. LEE, and Mr. ROUNDS):

S.J. Res. 19. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to prepaid accounts under the Electronic Fund Transfer Act and the Truth in Lending Act; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBERTS:

S. Res. 30. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry; from the Committee on Agriculture, Nutrition, and Forestry; to the Committee on Rules and Administration.

By Ms. COLLINS:

S. Res. 31. An original resolution authorizing the expenditures by the Special Committee on Aging; from the Special Committee on Aging; to the Committee on Rules and Administration.

By Mr. RISCH:

S. Res. 32. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship; from the Committee on Small Business and Entrepreneurship; to the Committee on Rules and Administration.

By Ms. MURKOWSKI:

S. Res. 33. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources; from the Committee on Energy and Natural Resources; to the Committee on Rules and Administration.

By Mr. JOHNSON:

S. Res. 34. An original resolution authorizing expenditures by the Committee on Homeland Security and Governmental Affairs; from the Committee on Homeland Security and Governmental Affairs; to the Committee on Rules and Administration.

By Mr. CARDIN (for himself, Mr. RUBIO, Mr. DURBIN, Mr. COTTON, Mr. MENENDEZ, Mr. BLUNT, Mr. NELSON, Mr. GARDNER, Mr. KAINE, and Mr. PERDUE):

S. Res. 35. A resolution expressing profound concern about the ongoing political, economic, social and humanitarian crisis in Venezuela, urging the release of political prisoners, and calling for respect of constitutional and democratic processes, including free and fair elections; to the Committee on Foreign Relations.

By Mr. HOEVEN:

S. Res. 36. An original resolution authorizing expenditures by the Senate Committee on Indian Affairs; from the Committee on Indian Affairs; to the Committee on Rules and Administration.

By Mr. CORKER:

S. Res. 37. An original resolution authorizing expenditures by the Committee on Foreign Relations; from the Committee on Foreign Relations; to the Committee on Rules and Administration.

By Ms. HIRONO (for herself, Mr. SANDERS, Mr. WYDEN, Mr. BOOKER, Mr. SCHATZ, Mr. BROWN, Mr. WHITEHOUSE, Ms. CANTWELL, Ms. WARREN, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. KAINE, Mrs. MURRAY, Mr. COONS, and Mr. DURBIN):

S. Res. 38. A resolution recognizing January 30, 2017, as ''Fred Korematsu Day of Civil Liberties and the Constitution''; to the Committee on the Judiciary.

By Mr. ALEXANDER:

S. Res. 39. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions; from the Committee on Health, Education, Labor, and Pensions; to the Committee on Rules and Administration.

By Ms. HEITKAMP (for herself, Mr. LANKFORD, Ms. STABENOW, Ms. BALDWIN, Mr. SCHATZ, Mr. UDALL, Mr. THUNE, Mr. MORAN, Mr. TESTER, Mr. HEINRICH, Mr. DAINES, Mr. HOEVEN, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. FRANKEN, Mr. PETERS, Ms. HIRONO, and Mr. BARRASSO):

S. Res. 40. A resolution designating the week beginning on February 5, 2017, as ''National Tribal Colleges and Universities Week''; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mr. PERDUE, Ms. HIRONO, Mr. CRAPO, and Mrs. FEINSTEIN):

S. Res. 41. A resolution raising awareness and encouraging the prevention of stalking by designating January 2017 as ''National Stalking Awareness Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 18

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 18, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 55

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 55, a bill to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

S. 82

At the request of Mr. REED, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 82, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 87

At the request of Mr. TOOMEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 87, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect

our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. 96

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 96, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 175

At the request of Mr. MANCHIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 175, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 178

At the request of Mr. GRASSLEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 178, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 203

At the request of Mr. BURR, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 203, a bill to reaffirm that the Environmental Protection Agency may not regulate vehicles used solely for competition, and for other purposes.

S. 220

At the request of Mr. SASSE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 220, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 224

At the request of Mr. RUBIO, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 224, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 229

At the request of Mr. HEINRICH, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 229, a bill to provide for the confidentiality of information submitted in requests for the Deferred Action for Childhood Arrivals Program and for other purposes.

S. 236

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 240

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from Colorado (Mr. BENNET), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 240, a bill to nullify the effect of the recent executive order that temporarily restricted individuals from certain countries from entering the United States.

S. 247

At the request of Ms. STABENOW, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 247, a bill to provide an incentive for businesses to bring jobs back to America.

S. 248

At the request of Mr. MURPHY, the names of the Senator from Delaware (Mr. CARPER), the Senator from New York (Mrs. GILLIBRAND), the Senator from Vermont (Mr. LEAHY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 248, a bill to block implementation of the Executive Order that restricts individuals from certain countries from entering the United States.

S.J. RES. 8

At the request of Mr. UDALL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S.J. Res. 8, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S.J. RES. 9

At the request of Mr. INHOFE, the names of the Senator from Arizona (Mr. FLAKE), the Senator from Wyoming (Mr. BARRASSO), the Senator from Mississippi (Mr. COCHRAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. HATCH), the Senator from Kentucky (Mr. PAUL), the Senator from Alaska (Mr. SULLIVAN), the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S.J. Res. 9, a joint resolution providing for congressional disapproval under chapter 8, of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to the disclosure of payments by resource extraction issuers.

S.J. RES. 10

At the request of Mr. THUNE, his name was added as a cosponsor of S.J. Res. 10, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Secretary of the Interior relating to stream protection.

S.J. RES. 14

At the request of Mr. GRASSLEY, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S.J. Res. 14, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from Montana (Mr. TESTER) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 18

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 18, a resolution reaffirming the United States-Argentina partnership and recognizing Argentina's economic reforms.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. CASEY, and Mr. HELLER):

S. 253. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise in support of the Medicare Access to Rehabilitation Services Act, which I am introducing today with my colleagues Senators COLLINS, CASEY, and HELLER. This important bill repeals the monetary caps that limit Medicare beneficiaries' access to medically necessary outpatient physical therapy, occupational therapy, and speech-language pathology services.

Limits on outpatient rehabilitation therapy services under Medicare were first imposed in 1997 as part of the Balanced Budget Act. The decision to impose limits on these services was not based on data, quality-of-care concerns, or clinical judgment—its sole purpose was to limit spending in order to balance the Federal budget. Since 1997, Congress has acted 12 times to prevent the implementation of the therapy caps through moratoriums and an exceptions process. While these short-term actions have provided necessary relief to our seniors, a long-term solution is essential to bring permanent relief and much-needed stability for both patients and providers.

We need a full repeal of the existing caps on physical therapy, occupational therapy, and speech-language pathology services. These annual financial caps limit services often needed after a

stroke, traumatic brain injury, or spinal cord injury, or to effectively manage conditions such as Parkinson's disease, multiple sclerosis, and arthritis. Arbitrary caps on these vital Medicare outpatient therapy services are simply unacceptable. They also discriminate against the oldest and sickest Medicare beneficiaries, who typically require the most intensive therapy, and disadvantage Medicare beneficiaries who live in regions with higher health care costs.

In a 2009 report issued by the Medicare Payment Advisory Committee, MEDPAC, it was estimated that the therapy cap, if enforced without an exceptions process, could negatively impact 931,000 Medicare beneficiaries. Arbitrarily capping outpatient rehabilitation therapy services would likely cause some beneficiaries to delay necessary care, force others to assume higher out-of-pocket costs, and disrupt the continuum of care for many seniors and individuals with disabilities.

I urge my colleagues to join me and Senator COLLINS in supporting the Medicare Access to Rehabilitation Services Act to ensure that our seniors have access to the outpatient rehabilitation therapy services that they need.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 253

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicare Access to Rehabilitation Services Act of 2017''.

SEC. 2. OUTPATIENT THERAPY CAP REPEAL.

(a) IN GENERAL.—Section 1833 of the Social Security Act (42 U.S.C. 1395(l)) is amended by striking subsection (g).

(b) CONFORMING AMENDMENTS.—Section 1842(t)(2) of the Social Security Act (42 U.S.C. 1395u(t)(2)) is amended—

(1) by striking ''(2) Each request'' and all that follows through ''1833(a)(8)(B),'' and inserting ''(2)(A) Each request for payment, or bill submitted, for therapy services described in subparagraph (B)''; and

(2) by adding at the end the following new subparagraph:

''(B) The following therapy services are described in this subparagraph:

''(i) Physical therapy services of the type described in section 1861(p) and speech-language pathology services of the type described in such section through the application of section 1861(ll)(2), including services described in section 1833(a)(8)(B), and physical therapy services and speech-language pathology services of such type which are furnished by a physician or as incident to physicians' services.

''(ii) Occupational therapy services of the type that are described in section 1861(p), including services described in section 1833(a)(8)(B), through the operation of section 1861(g) and of such type which are furnished by a physician or as incident to physicians' services.''.

By Mr. CORNYN (for himself, Mr. RISCH, Mr. ROBERTS, Mr. PORTMAN, Mr. TILLIS, Mr. CASSIDY, Mr. RUBIO, Mr. GRASSLEY, Mr. MCCAIN, Mr. INHOFE, Mr. FLAKE, Mr. HELLER, Mr. THUNE, Mr. DAINES, Mr. MORAN, Mr. BLUNT, Mr. COCHRAN, Mr. SCOTT, Mr. TOOMEY, Mr. JOHNSON, Mr. ISAKSON, Mr. SHELBY, and Mr. WICKER):

S. 260. A bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting Seniors' Access to Medicare Act of 2017''.

SEC. 2. REPEAL OF THE INDEPENDENT PAYMENT ADVISORY BOARD.

Effective as of the enactment of the Patient Protection and Affordable Care Act (Public Law 111–148), sections 3403 and 10320 of such Act (including the amendments made by such sections) are repealed, and any provision of law amended by such sections is hereby restored as if such sections had not been enacted into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 30—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ROBERTS submitted the following resolution; from the Committee on Agriculture, Nutrition, and Forestry; which was referred to the Committee on Rules and Administration:

S. RES. 30

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry (in this resolution referred to as the ''committee'') is authorized from March 1, 2017 through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a)EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.—The expenses of the committee for the period March 1, 2017 through September 30, 2017 under this resolution shall not exceed $2,463,834, of which amount—

(1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $40,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b)EXPENSES FOR FISCAL YEAR 2018 PERIOD.—The expenses of the committee for the period October 1, 2017 through September 30, 2018 under this resolution shall not exceed $4,223,716, of which amount—

(1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $40,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c)EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.—The expenses of the committee for the period October 1, 2018 through February 28, 2019 under this resolution shall not exceed $1,759,882, of which amount—

(1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $40,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a)EXPENSES OF THE COMMITTEE.—

(1)IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2)VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b)AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017 through September 30, 2017;

(2) for the period October 1, 2017 through September 30, 2018; and

(3) for the period October 1, 2018 through February 28, 2019.

SENATE RESOLUTION 31—AUTHORIZING THE EXPENDITURES BY THE SPECIAL COMMITTEE ON AGING

Ms. COLLINS submitted the following resolution; from the Special Committee on Aging; which was referred to the Committee on Rules and Administration:

S. RES. 31

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging (in this resolution referred to as the ''committee'') is authorized from March 1, 2017 through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.—The expenses of the committee for the period March 1, 2017 through September 30, 2017 under this resolution shall not exceed $1,399,763, of which amount—

(1) not to exceed $3,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $3,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2018 PERIOD.—The expenses of the committee for the period October 1, 2017 through September 30, 2018 under this resolution shall not exceed $2,399,594, of which amount—

(1) not to exceed $6,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $6,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.—The expenses of the committee for the period October 1, 2018 through February 28, 2019 under this resolution shall not exceed $999,831, of which amount—

(1) not to exceed $2,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $1,500 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017 through September 30, 2017;

(2) for the period October 1, 2017 through September 30, 2018; and

(3) for the period October 1, 2018 through February 28, 2019.

SENATE RESOLUTION 32—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. RISCH submitted the following resolution; from the Committee on Small Business and Entrepreneurship; which was referred to the Committee on Rules and Administration:

S. RES. 32

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship (in this resolution referred to as the ''committee'') is authorized from March 1, 2017 through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.—The expenses of the committee for the period March 1, 2017 through September 30, 2017 under this resolution shall not exceed $1,520,944, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2018 PERIOD.—The expenses of the committee for the period October 1, 2017 through September 30, 2018 under this resolution shall not exceed $2,607,332, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.—The expenses of the committee for the period October 1, 2018 through February 28, 2019 under this resolution shall not exceed $1,086,388, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017 through September 30, 2017;

(2) for the period October 1, 2017 through September 30, 2018; and

(3) for the period October 1, 2018 through February 28, 2019.

SENATE RESOLUTION 33—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. MURKOWSKI submitted the following resolution; from the Committee

on Energy and Natural Resources; which was referred to the Committee on Rules and Administration:

S. RES. 33

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources (in this resolution referred to as the ''committee'') is authorized from March 1, 2017 through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.—The expenses of the committee for the period March 1, 2017 through September 30, 2017 under this resolution shall not exceed $3,219,522.

(b) EXPENSES FOR FISCAL YEAR 2018 PERIOD.—The expenses of the committee for the period October 1, 2017 through September 30, 2018 under this resolution shall not exceed $5,519,181.

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.—The expenses of the committee for the period October 1, 2018 through February 28, 2019 under this resolution shall not exceed $2,299,659.

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017 through September 30, 2017;

(2) for the period October 1, 2017 through September 30, 2018; and

(3) for the period October 1, 2018 through February 28, 2019.

SENATE RESOLUTION 34—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. JOHNSON submitted the following resolution; from the Committee on Homeland Security and Governmental Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 34

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate and S. Res. 445, agreed to October 9, 2004 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs (in this resolution referred to as the ''committee'') is authorized from March 1, 2017, through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.—The expenses of the committee for the period March 1, 2017, through September 30, 2017, under this resolution shall not exceed $5,591,653, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2018 PERIOD.—The expenses of the committee for the period October 1, 2017, through September 30, 2018, under this resolution shall not exceed $9,585,691, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.—The expenses of the committee for the period October 1, 2018, through February 28, 2019, under this resolution shall not exceed $3,994,038, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017, through September 30, 2017;

(2) for the period October 1, 2017, through September 30, 2018; and

(3) for the period October 1, 2018, through February 28, 2019.

SEC. 5. INVESTIGATIONS.

(a) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(1) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government, and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(2) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(3) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the

manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce, and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(4) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety, including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(5) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(A) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(B) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(C) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(D) legislative and other proposals to improve these methods, processes, and relationships;

(6) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(A) the collection and dissemination of accurate statistics on fuel demand and supply;

(B) the implementation of effective energy conservation measures;

(C) the pricing of energy in all forms;

(D) coordination of energy programs with State and local government;

(E) control of exports of scarce fuels;

(F) the management of tax, import, pricing, and other policies affecting energy supplies;

(G) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(H) the allocation of fuels in short supply by public and private entities;

(I) the management of energy supplies owned or controlled by the Government;

(J) relations with other oil producing and consuming countries;

(K) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(L) research into the discovery and development of alternative energy supplies; and

(7) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(b) EXTENT OF INQUIRIES.—In carrying out the duties provided in subsection (a), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

(c) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this section, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman is authorized, in its, his, her, or their discretion—

(1) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(2) to hold hearings;

(3) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(4) to administer oaths; and

(5) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(d) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this section shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(e) SUBPOENA AUTHORITY.—All subpoenas and related legal processes of the committee and any duly authorized subcommittee of the committee authorized under S. Res. 73, agreed to February 12, 2015 (114th Congress), are authorized to continue.

SENATE RESOLUTION 35—EXPRESSING PROFOUND CONCERN ABOUT THE ONGOING POLITICAL, ECONOMIC, SOCIAL AND HUMANITARIAN CRISIS IN VENEZUELA, URGING THE RELEASE OF POLITICAL PRISONERS, AND CALLING FOR RESPECT OF CONSTITUTIONAL AND DEMOCRATIC PROCESSES, INCLUDING FREE AND FAIR ELECTIONS

Mr. CARDIN (for himself, Mr. RUBIO, Mr. DURBIN, Mr. COTTON, Mr. MENENDEZ, Mr. BLUNT, Mr. NELSON, Mr. GARDNER, Mr. KAINE, and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 35

Whereas the deterioration of basic governance and the economic crisis in Venezuela have led to an unprecedented humanitarian situation in which people are suffering from severe shortages of essential medicines and basic food products;

Whereas Venezuela lacks more than 80 percent of the basic medical supplies and equipment needed to treat its population, including medicine to treat chronic illnesses and cancer as well as basic antibiotics, and 85 percent of pharmacies are at risk of bankruptcy, according to the Venezuelan Pharmaceutical Federation;

Whereas, despite the massive shortages of basic foodstuffs and essential medicines, President of Venezuela Nicolas Maduro has rejected repeated requests from civil society organizations to bring humanitarian aid into the country;

Whereas the International Monetary Fund assesses that, in Venezuela, gross domestic product will contract 10 percent and inflation will exceed 700 percent in 2016, accelerating to over 1,600 percent in 2017, the worst anticipated growth and inflation performance in the world;

Whereas Venezuela's political, economic, and humanitarian crisis is fueling social tensions that are resulting in growing incidents of public unrest, looting, violence among citizens, and an exodus of Venezuelans abroad;

Whereas Caracas continues to have the highest per capita homicide rate in the world at 120 per 100,000 citizens, according to the United Nations Office on Drug and Crime;

Whereas the deterioration of governance in Venezuela has been exacerbated by widespread public corruption and the involvement of public officials in illicit narcotics trafficking and related money laundering;

Whereas, on August 1, 2016, General Nestor Reverol, Venezuela's current Minister of Interior and former National Guard commander, was indicted in the United States for participating in an international cocaine trafficking conspiracy;

Whereas, on November 18, 2016, Franqui Francisco Flores de Freitas and Efrain Antonio Campo Flores, nephews of President Maduro and Venezuelan First Lady Cilia Flores, were convicted by a United States Federal jury on charges of conspiring to import cocaine into the United States;

Whereas international and domestic human rights groups, such as Venezuelan organization Foro Penal, recognize more than 100 political prisoners in Venezuela, including opposition leader and former Chacao mayor Leopoldo Lopez, Judge Maria Lourdes Afiuni, Caracas Mayor Antonio Ledezma, and former San Cristobal mayor Daniel Ceballos;

Whereas the 1999 Constitution of the Bolivarian Republic of Venezuela serves as the foundation for political processes in Venezuela;

Whereas, in December 2015, the people of Venezuela elected the opposition coalition (Mesa de Unidad Democràtica) to a two-thirds majority in the unicameral National Assembly, with 112 out of the 167 seats;

Whereas, in late December 2015, the outgoing National Assembly confirmed to the Supreme Court of Venezuela magistrates politically aligned with the Maduro Administration and, thereafter, the Supreme Court blocked four legislators, including 3 opposition legislators, from taking office;

Whereas, during the first year of the new legislature, the Supreme Court has repeatedly overturned legislation passed by the democratically elected National Assembly;

Whereas, in 2016, President Maduro has utilized emergency and legislative decree powers to bypass the National Assembly, which, alongside the actions of the Supreme Court, have severely undermined the principles of separation of powers in Venezuela;

Whereas, in May 2016, Organization of American States Secretary General Luis Almagro presented a 132-page report outlining grave alterations of the democratic order in Venezuela and invoked Article 20 of the Inter-American Democratic Charter, which calls on the OAS Permanent Council "to undertake a collective assessment of the situation";

Whereas, in late October 2016, Venezuela's state courts and National Electoral Council, which are comprised of political allies of President Maduro, halted efforts to hold a referendum pursuant to provisions of the Venezuelan constitution to recall President Maduro, thereby denying the Venezuelan people the ability to pursue a democratic solution to Venezuela's crisis; and

Whereas, in November 2016, sectors of the opposition and the Government of Venezuela

initiated a dialogue, facilitated by the Vatican, in an effort to pursue a negotiated solution to the country's political, economic, social, and humanitarian crisis: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its profound concern about widespread shortages of essential medicines and basic food products faced by the people of Venezuela, and urges President Maduro to permit the delivery of humanitarian assistance;

(2) calls on the Government of Venezuela to immediately release all political prisoners and to respect internationally recognized human rights;

(3) supports meaningful efforts towards a dialogue that leads to respect for Venezuela's constitutional mechanisms and resolves the country's political, economic, social, and humanitarian crisis;

(4) affirms its support for OAS Secretary General Almagro's invocation of Article 20 of the Inter-American Democratic Charter and urges the OAS Permanent Council, which represents all of the organization's member states, to undertake a collective assessment of the constitutional and democratic order in Venezuela;

(5) calls on the Government of Venezuela to ensure the neutrality and professionalism of all security forces and to respect the Venezuelan people's rights to freedom of expression and assembly;

(6) calls on the Government of Venezuela to halt its efforts to undermine the principle of separation of powers, its circumvention of the democratically elected legislature, and its subjugation of judicial independence;

(7) stresses the urgency of strengthening the rule of law and increasing efforts to combat impunity and public corruption in Venezuela, which has bankrupted a resource-rich country, fuels rising social tensions, and contributes to elevated levels of crime and violence; and

(8) urges the President of the United States to provide full support for OAS efforts in favor of constitutional and democratic solutions to the political impasse, and to instruct appropriate Federal agencies to hold officials of the Government of Venezuela accountable for violations of United States law and abuses of internationally recognized human rights.

SENATE RESOLUTION 36—AUTHORIZING EXPENDITURES BY THE SENATE COMMITTEE ON INDIAN AFFAIRS

Mr. HOEVEN submitted the following resolution; from the Committee on Indian Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 36

Resolved, That, in carrying out its powers, duties and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from March 1, 2017, through September 30, 2017; October 1, 2017, through September 30, 2018; and October 1, 2018, through February 28, 2019, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or non-reimbursable, basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2017, through September 30, 2017, under this resolution shall not exceed $1,184,317.00, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2017, through September 30, 2018, expenses of the committee under this resolution shall not exceed $2,030,258.00, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2018, through February 28, 2019, expenses of the committee under this resolution shall not exceed $845,941.00, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $20,000 may be expended for the training of professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee, except that vouchers shall not be required (1) for the disbursement of the salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2017, through September 30, 2017; October 1, 2017, through September 30, 2018; and October 1, 2018, through February 28, 2019, to be paid from the Appropriations account for Expenses of Inquiries and Investigations.

SENATE RESOLUTION 37—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. CORKER submitted the following resolution; from the Committee on Foreign Relations; which was referred to the Committee on Rules and Administration:

S. RES. 37

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations (in this resolution referred to as the ''committee'') is authorized from March 1, 2017 through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.—The expenses of the committee for the period March 1, 2017 through September 30, 2017 under this resolution shall not exceed $3,889,028, of which amount—

(1) not to exceed $150,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2018 PERIOD.—The expenses of the committee for the period October 1, 2017 through September 30, 2018 under this resolution shall not exceed $6,666,904, of which amount—

(1) not to exceed $150,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.—The expenses of the committee for the period October 1, 2018 through February 28, 2019 under this resolution shall not exceed $2,777,877, of which amount—

(1) not to exceed $150,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017 through September 30, 2017;

(2) for the period October 1, 2017 through September 30, 2018; and

(3) for the period October 1, 2018 through February 28, 2019.

SENATE RESOLUTION 38—RECOGNIZING JANUARY 30, 2017, AS ''FRED KOREMATSU DAY OF CIVIL LIBERTIES AND THE CONSTITUTION''

Ms. HIRONO (for herself, Mr. SANDERS, Mr. WYDEN, Mr. BOOKER, Mr. SCHATZ, Mr. BROWN, Mr. WHITEHOUSE, Ms. CANTWELL, Ms. WARREN, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. KAINE, Mrs. MURRAY, Mr. COONS, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 38

Whereas, on January 30, 1919, Fred Toyosaburo Korematsu was born in Oakland, California, to Japanese immigrants;

Whereas Fred Korematsu graduated from Oakland High School in 1937 and attempted to enlist in the military twice but was unable to do so because his selective service classification was changed to enemy alien, even though Fred Korematsu was a United States citizen;

Whereas Fred Korematsu trained as a welder and worked as a foreman at the docks in Oakland until the date on which he and all Japanese Americans were fired;

Whereas, on December 7, 1941, Japan attacked the military base in Pearl Harbor, Hawaii, causing the United States to declare war against Japan;

Whereas, on February 19, 1942, President Franklin D. Roosevelt signed Executive Order 9066 (7 Fed. Reg. 1407 (February 25, 1942)), which authorized the Secretary of War to prescribe military areas—

(1) from which any or all people could be excluded; and

(2) with respect to which, the right of any person to enter, remain in, or leave would be subject to any restriction the Military Commander imposed in his discretion;

Whereas, on May 3, 1942, the Lieutenant General of the Western Command of the Army issued Civilian Exclusion Order 34 (May 3, 1942) (referred to in this preamble as the ''Civilian Exclusion Order'') directing that all people of Japanese ancestry be removed from designated areas of the West Coast after May 9, 1942, because people of Japanese ancestry in the designated areas were considered to pose a threat to national security;

Whereas Fred Korematsu refused to comply with the Civilian Exclusion Order and was arrested on May 30, 1942;

Whereas, after his arrest, Fred Korematsu—

(1) was held in squalor for 2 ½ months in the Presidio stockade in San Francisco, California;

(2) was convicted on September 8, 1942, of violating the Civilian Exclusion Order and sentenced to 5 years of probation; and

(3) was detained at Tanforan Assembly Center, a former horse racetrack used as a holding facility for Japanese Americans before he was exiled with his family to the Topaz internment camp in the State of Utah;

Whereas more than 120,000 Japanese Americans were similarly detained, with no charges brought and without due process, in 10 permanent War Relocation Authority camps located in isolated desert areas of the States of Arizona, Arkansas, California, Colorado, Idaho, Utah, and Wyoming;

Whereas the people of the United States subject to the Civilian Exclusion Order lost their homes, livelihoods, and the freedoms inherent to all people of the United States;

Whereas Fred Korematsu unsuccessfully challenged the Civilian Exclusion Order as it applied to him and appealed the decision of the United States District Court to the United States Court of Appeals for the Ninth Circuit, which sustained his conviction;

Whereas Fred Korematsu was subsequently confined with his family in the internment camp in Topaz, Utah, for 2 years, and during that time, Fred Korematsu appealed his conviction to the Supreme Court of the United States;

Whereas, on December 18, 1944, the Supreme Court of the United States issued Korematsu v. United States, 323 U.S. 214 (1944), which—

(1) upheld the conviction of Fred Korematsu by a vote of 6 to 3; and

(2) concluded that Fred Korematsu was removed from his home not based on hostility toward him or other Japanese Americans but because the United States was at war with Japan and the military feared a Japanese invasion of the West Coast;

Whereas, in his dissenting opinion in Korematsu v. United States, 323 U.S. 214 (1944), Justice Frank Murphy called the Civilian Exclusion Order the ''legalization of racism'';

Whereas Fred Korematsu continued to maintain his innocence for decades following World War II, and his conviction hampered his ability to gain employment;

Whereas, in 1982, legal historian Peter Irons and researcher Aiko Yoshinaga-Herzig gained access to Government documents under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), that indicate that while the case of Fred Korematsu was before the Supreme Court of the United States, the Federal Government misled the Supreme Court of the United States and suppressed findings that Japanese Americans on the West Coast were not security threats;

Whereas, in light of the newly discovered information, Fred Korematsu filed a writ of error coram nobis with the United States District Court for the Northern District of California, and on November 10, 1983, United States District Judge Marilyn Hall Patel issued her decision in Korematsu v. United States, 584 F. Supp. 1406 (N.D. Cal. 1984), that—

(1) overturned the conviction of Fred Korematsu;

(2) concluded that, at the time that senior Government officials presented their case before the Supreme Court of the United States in 1944, the senior Government officials knew there was no factual basis for the claim of military necessity for the Civil Exclusion Order; and

(3) stated that although the decision of the Supreme Court of the United States in Korematsu v. United States, 323 U.S. 214 (1944), remains on the pages of United States legal and political history, ''[a]s historical precedent it stands as a constant caution that in times of war or declared military necessity our institutions must be vigilant in protecting constitutional guarantees'';

Whereas the Commission on Wartime Relocation and Internment of Civilians, authorized by Congress in 1980 to review the facts and circumstances surrounding the relocation and internment of Japanese Americans under Executive Order 9066 (7 Fed. Reg. 1407 (February 25, 1942)), concluded that—

(1) the decision of the Supreme Court of the United States in Korematsu v. United States, 323 U.S. 214 (1944), is overruled by the court of history;

(2) a grave personal injustice was done to the United States citizens and resident aliens of Japanese ancestry who, without individual review or any probative evidence against them, were excluded, removed, and detained by the United States during World War II; and

(3) the exclusion, removal, and detention of United States citizens and resident aliens of Japanese ancestry was motivated largely by racial prejudice, wartime hysteria, and a failure of political leadership;

Whereas the overturning of the conviction of Fred Korematsu and the findings of the Commission on Wartime Relocation and Internment of Civilians influenced the decision by Congress to pass the Civil Liberties Act of 1988 (50 U.S.C. 4211 et seq.) to request a Presidential apology and the symbolic payment of compensation to people of Japanese ancestry who lost liberty or property due to discriminatory actions of the Federal Government;

Whereas, on August 10, 1988, President Reagan signed the Civil Liberties Act of 1988 (50 U.S.C. 4211 et seq.), stating, ''[H]ere we admit a wrong; here we reaffirm our commitment as a nation to equal justice under the law.'';

Whereas, on January 15, 1998, President Clinton awarded the Medal of Freedom, the highest civilian award of the United States, to Fred Korematsu, stating, ''[i]n the long history of our country's constant search for justice, some names of ordinary citizens stand for millions of souls: Plessy, Brown, Parks. To that distinguished list, today we add the name of Fred Korematsu.'';

Whereas, despite the fact that history demonstrates that discriminatory actions breed immoral, unconscionable, and unconstitutional actions levied against religious, ethnic, and racial minorities in the name of national security, recent actions by President Trump have publicly fanned religious, ethnic, and racial prejudices;

Whereas, on January 27, 2017, President Trump issued—

(1) an Executive order that suspends for 90 days the entry into the United States of immigrants and nonimmigrants who are nationals of 7 Muslim-majority countries, prohibiting the issuance of any visa to relatives, family members, and tourists from the 7 designated countries based solely on the nationality of the individual;

(2) an Executive order indefinitely suspending the admission as refugees of Syrian nationals, even though, as of January 2017, there are more than 4,000,000 registered Syrian refugees who have fled the destructive civil war in Syria;

(3) an Executive order slashing refugee admissions numbers for fiscal year 2017 from 110,000 to 50,000, even as other countries move to take in refugees; and

(4) an Executive order directing the United States Refugee Assistance Program to prioritize refugee claims based on religious persecution in which the religion of the refugee is a minority religion in the country of nationality of the refugee, a priority that singles out for exclusion members of the Islamic faith;

Whereas Fred Korematsu remained a tireless advocate for civil liberties and justice throughout his life by—

(1) speaking out against racial discrimination and violence targeting Arab, Muslim, South Asian, and Sikh Americans in the wake of the September 11, 2001, tragedy; and

(2) cautioning the Federal Government against repeating mistakes of the past that singled out individuals for heightened scrutiny on the basis of race, ethnicity, nationality,or religion;

Whereas, on March 30, 2005, Fred Korematsu died at the age of 86 in Larkspur, California;

Whereas Fred Korematsu is a role model for all people of the United States who love the United States and the promises contained in the Constitution of the United States, and the strength and perseverance of Fred Korematsu serve as an inspiration for all people who strive for equality and justice; and

Whereas the recent actions of President Trump run directly counter to the history and legacy of justice exemplified by Fred Korematsu: Now, therefore, be it

Resolved, That the Senate—

(1) honors Fred Toyosaburo Korematsu for his—

(A) loyalty and patriotism to the United States;

(B) work to advocate for the civil rights and civil liberties of all people of the United States; and

(C) dedication to justice and equality;

(2) recognizes January 30, 2017, as ''Fred Korematsu Day of Civil Liberties and the Constitution''; and

(3) denounces any governmental effort to discriminate against any individual based on the national origin or religion of the individual.

SENATE RESOLUTION 39—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER submitted the following resolution; from the Committee on Health, Education, Labor, and Pensions; which was referred to the Committee on Rules and Administration:

S. RES. 39

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions (in this resolution referred to as the ''committee'') is authorized from March 1, 2017 through February 28, 2019, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2017.—The expenses of the committee for the period March 1, 2017 through September 30, 2017 under this resolution shall not exceed $5,105,487, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $25,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2018 PERIOD.—The expenses of the committee for the period October 1, 2017 through September 30, 2018 under this resolution shall not exceed $8,752,264, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $25,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2019.—The expenses of the committee for the period October 1, 2018 through February 28, 2019 under this resolution shall not exceed $3,646,777, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $25,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2018 and February 28, 2019, respectively.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2017 through September 30, 2017;

(2) for the period October 1, 2017 through September 30, 2018; and

(3) for the period October 1, 2018 through February 28, 2019.

SENATE RESOLUTION 40—DESIGNATING THE WEEK BEGINNING ON FEBRUARY 5, 2017, AS ''NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK''

Ms. HEITKAMP (for herself, Mr. LANKFORD, Ms. STABENOW, Ms. BALDWIN, Mr. SCHATZ, Mr. UDALL, Mr. THUNE, Mr. MORAN, Mr. TESTER, Mr. HEINRICH, Mr. DAINES, Mr. HOEVEN, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. FRANKEN, Mr. PETERS, Ms. HIRONO, and Mr. BARRASSO) submitted the following resolution; which was considered and agreed to:

S. RES. 40

Whereas there are 37 Tribal Colleges and Universities operating on more than 75 campuses in 16 States;

Whereas Tribal Colleges and Universities are tribally chartered or federally chartered institutions of higher education and therefore have a unique relationship with the Federal Government;

Whereas Tribal Colleges and Universities serve students from more than 250 federally recognized Indian tribes;

Whereas Tribal Colleges and Universities offer students access to knowledge and skills grounded in cultural traditions and values, including indigenous languages, which enhances Indian communities and enriches the United States as a whole;

Whereas Tribal Colleges and Universities provide access to high-quality postsecondary educational opportunities for American Indians, Alaska Natives, and other individuals living in some of the most isolated and economically depressed areas in the United States;

Whereas Tribal Colleges and Universities are accredited institutions of higher education that effectively prepare students to succeed in their academic pursuits and in a global and highly competitive workforce;

Whereas Tribal Colleges and Universities have open enrollment policies, and approximately 15 percent of the students at Tribal Colleges and Universities are non-Indian individuals; and

Whereas the collective mission and the considerable achievements of Tribal Colleges and Universities deserve national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on February 5, 2017, as ''National Tribal Colleges and Universities Week''; and

(2) calls on the people of the United States and interested groups to observe National Tribal Colleges and Universities Week with appropriate ceremonies, activities, and programs to demonstrate support for Tribal Colleges and Universities.

SENATE RESOLUTION 41—RAISING AWARENESS AND ENCOURAGING THE PREVENTION OF STALKING BY DESIGNATING JANUARY 2017 AS ''NATIONAL STALKING AWARENESS MONTH''

Ms. KLOBUCHAR (for herself, Mr. PERDUE, Ms. HIRONO, Mr. CRAPO, and

Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 41

Whereas approximately 15 percent of women in the United States, at some point during their lifetimes, have experienced stalking victimization, during which the women felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 7,500,000 individuals in the United States reported that they had been victims of stalking;

Whereas more than 80 percent of victims of stalking reported that they had been stalked by someone they knew;

Whereas 11 percent of victims of stalking reported having been stalked for more than 5 years;

Whereas two-thirds of stalkers pursue their victims at least once a week;

Whereas victims of stalking are forced to take drastic measures to protect themselves, including changing their identities, relocating, changing jobs, or obtaining protection orders;

Whereas the prevalence of anxiety, insomnia, social dysfunction, and severe depression is much higher among victims of stalking than the general population;

Whereas many victims of stalking do not report stalking to the police or contact a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist victims of stalking and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for an increase in the availability of victim services across the United States, and the services must include programs tailored to meet the needs of victims of stalking;

Whereas individuals 18 to 24 years old experience the highest rates of stalking victimization, and rates of stalking among college students exceed rates of stalking among the general population;

Whereas up to 75 percent of women in college who experience behavior relating to stalking experience other forms of victimization, including sexual or physical victimization;

Whereas there is a need for an effective response to stalking on each campus; and

Whereas the Senate finds that ''National Stalking Awareness Month'' provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2017 as ''National Stalking Awareness Month'';

(2) applauds the efforts of service providers for victims of stalking, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, institutions of higher education, and nonprofit organizations to increase awareness of stalking and the availability of services for victims of stalking; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through ''National Stalking Awareness Month''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. WICKER. Mr. President, I have two requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on February 1, 2017, at 2:30 p.m., in room SD–106 of the Dirksen Senate Office Building.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on February 1, 2017, in room SD–562 of the Dirksen Senate Office Building at 2:30 p.m. to conduct a hearing entitled ''Stopping Senior Scams: Developments in Financial Fraud Affecting Seniors.''

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my science fellow, Christy Veeder, be allowed the privileges of the floor.

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

APPOINTMENT

Mr. GARDNER. Mr. President, I understand an appointment was made during the adjournment of the Senate, and I ask it be stated for the RECORD.

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the provisions of 20 U.S.C., sections 42 and 43, reappoints the Senator from Vermont, Mr. LEAHY, as a member of the Board of Regents of the Smithsonian Institution.

UNANIMOUS CONSENT AGREEMENT—READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. GARDNER. Mr. President, I ask unanimous consent that not withstanding the resolution of the Senate of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday, February 27, 2017, at a time to be determined by the majority leader in consultation with the Democratic leader.

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

NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 40, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 40) designating the week beginning on February 5, 2017, as ''National Tribal Colleges and Universities Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 40) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL STALKING AWARENESS MONTH

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 41, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 41) raising awareness and encouraging the prevention of stalking by designating January 2017 as ''National Stalking Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 41) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 274

Mr. GARDNER. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 274) to nullify the effect of the recent executive order that temporarily restricted individuals from certain countries from entering the United States.

Mr. GARDNER. I now ask for a second reading and, in order to place the bill on the calendar under provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, FEBRUARY 2, 2017

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Thursday, February 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of H.J. Res. 38; finally, that there be 6 hours of debate remaining, equally divided in the usual form.

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

ORDER FOR ADJOURNMENT

Mr. GARDNER. 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 WHITEHOUSE.

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

The Senator from Rhode Island.

STREAM PROTECTION RULE

Mr. WHITEHOUSE. Mr. President, we are gathered here this evening to seek to defend against the Congressional Review Act effort to overturn the clean stream protection rule. It is interesting that this first Congressional Review Act measure that we are taking up should be one that puts money into the pockets of the fossil fuel industry and lifts their obligation to clean up public streams that they have ruined with their pollution.

As I have been in the Senate, I am in my second term, and I am more than halfway through it. By Senate standards, I don't expect that is very senior, but it is enough that I have seen some patterns develop.

One of the patterns I have seen develop is that my friends on the other side of the aisle talk a really good game on deregulation, on regulatory reform. They give speeches on the burden of undue regulation. They give speeches about the cost of regulation. Over and over they seek deregulation. But when it comes time to actually do something, every single time that I can remember, the deregulatory effort goes to the benefit of two groups. One is Wall Street and the other is polluters. The rest is just talk.

Sure enough, here we are with the first Congressional Review Act effort, and the choices are money in the fossil fuel company's pockets versus our natural heritage of clean streams for ourselves and our children. And which way do we go? Put the money in the fossil fuel pockets—to heck with the clean streams. This would be 0.3 percent of coal industry revenues to clean up after the mess they have made.

I grew up and I was taught that if you spill something, you clean it up. If you make a mess, you clean it up. But in this building, if it is the fossil fuel industry, if you make a mess, too bad, we will take care of you. You are our guys. We don't care about the stream. We don't care about the people who live downstream. We don't care about people who might fish in it. We don't care about the fact that this is God's creation. We care about making the coal companies happy.

It happens over and over. If it is not polluters, it is Wall Street. If it is not Wall Street, it is polluters. As to all this talk about deregulation, watch where it goes—Wall Street and polluters. Here we are with the archetypical challenge between private benefit and public harm. The very purpose of government—even conservative commentators say—is to protect the public from being harmed by those who cause them harm as they pursue their private benefit. What could be more the case than coal waste polluting public streams? We don't care; we are going to go to bat for the coal companies. I tell you, there are special rules around here for the fossil fuel industry.

We heard President Trump's promises to drain the swamp of the outside influence of corporate special interests and lobbyists in our government. Well, particularly when it comes to fossil fuel interests, that oft-repeated promise seems to have evaporated in the murky haze of his transition. From the very outset, operatives of the Koch brothers and other fossil fuel interests have infiltrated his team.

Some of the biggest swamp alligators have floated up as his nominees to run federal agencies that protect our public health, that enforce our laws, that maintain our natural resources, and even those who carry out our international diplomacy. With all these nominations, the President isn't draining the swamp. He is filling it with exactly the kind of big special interests that most Americans voted to keep out.

Our Republican colleagues are jamming and stacking the confirmation hearings in a rush to fill in this swamp Cabinet before the American people can get a good look at the nominees. By the way, the byproduct of all of this is the swamp gas of climate denial.

A strong majority of voters polled since the election called on President Trump to do more to address global warming. So let us look at the record of this fossil fuel swamp Cabinet.

Today, we voted on ExxonMobil CEO Rex Tillerson to be our Secretary of State. Like President Trump, Tillerson and ExxonMobil have been talking out of two sides of their mouths about climate change. Sometimes Tillerson acknowledges climate change exists, pointing to a revenue-neutral carbon fee like the one I have introduced as the best way to address it. At other times, he plays up imagined scientific uncertainty and overestimates the costs of action. In 2012, Tillerson said:

> I'm not disputing that increasing CO_2 emissions in the atmosphere is going to have an impact. It will have a warming impact.

As far back as 2009, he backed a revenue-neutral carbon fee like the one I introduced as the best way to address the problem. But in 2013, he questioned whether we should do anything at all to slow climate change, asking: ''What good is it to save the planet if humanity suffers?''

That is the climate deniers' false premise—that humanity will suffer from our solving a problem that they face.

In 2015, Tillerson told an ExxonMobil shareholder meeting that he thought the world should wait for science to improve before solving the problem of climate change. He couldn't find one State university in this country that would agree with him. He says that because it is the fossil fuel industry stall strategy. It is so ironic coming from the longtime head of ExxonMobil to say we should wait because it has been well documented by the Los Angeles Times, by Inside Climate News, and by others that ExxonMobil—despite conducting some of the leading climate science for decades—has played a devious role in undermining public understanding of these dangers.

For years, Exxon has underwritten a shadowy network of denial organizations—we have called it here on the Senate floor the web of denial—with the purpose of delaying any steps to reduce the use of fossil fuel. Between 1988 and 2005, ExxonMobil contributed over $16 million to a network of phony-baloney think tanks and pseudo-science groups that spread misleading and false claims about climate science. In response to public outrage about ExxonMobil's role in funding climate denial—it knew it had been caught—it claimed that it would stop and that it had stopped. But in 2015, ExxonMobil was still funneling millions to groups pedaling climate denial. According to its own publically available ''2015 Worldwide Global Giving'' report, over $1.6 million, or one-fifth of ExxonMobil's public information and policy research contributions went to organizations active in deceiving the public about climate change—groups like the American Legislative Exchange Council, the National Black Chamber of Commerce, the Hudson Institute, and the Manhattan Institute.

Under Tillerson's leadership, Exxon spent untold millions of dollars obstructing climate action and burying real science in a cloud of nonsense. The nonprofit research organization Influence Map found that ExxonMobil spent

at least $27 million obstructing climate action in 2015 alone. This was after they had said publically that they would knock it off. Tillerson even fought his own shareholders. The Institute for Policy Studies reports shareholders of ExxonMobil have introduced 62 climate-related resolutions over the past 25 years. Under his guidance, management has opposed every one of them.

Rex Tillerson once openly mocked a shareholder who asked about investing in renewables. Tillerson responded that renewable energy only survives on the backs of enormous government mandates that are not sustainable. ''We on purpose choose not to lose money,'' he said. Well, one of the ways they choose not to lose money is by spending huge amounts on a big, complex PR machine to churn out doubt about the real science and to protect the enormous market failure that forces the rest of us to pay for the cost of Exxon's carbon pollution. To say that renewable energy only survives on the backs of government mandates and subsidies is a bitter irony from the CEO of a company in an industry that has been calculated by the International Monetary Fund to get subsidies of $700 billion a year in the United States alone from not having to pay for the damage that its product causes.

Now, $700 billion a year is quite the subsidy. We heard this special brand of fossil fuel doublespeak in his confirmation hearing. ''The increase in greenhouse gas concentrations in the atmosphere are having an effect,'' he said. ''Our ability to predict that effect,'' he continued, ''is very limited.''

Wrong. Our ability to predict that effect is clearly established. The scientists who study our planet's climate system know that is the case. They understand that our carbon pollution has already driven unprecedented changes in the climate, and they know that rising concentrations of greenhouse gases will bring rising temperatures, higher sea levels along our coast, a warmer and more acidic ocean, and changes in weather patterns.

None of this is subject to serious doubt in the scientific community. When asked whether he sees climate change as a national security issue, Tillerson replied, ''I don't see it as the imminent national security threat that perhaps others do.''

Well, let's talk about those ''others'' for a minute. They are the ''others'' who are in charge of defending our country and its interests, the people whose job it is to monitor global trends and prepare for future threats. They are intelligence and security experts like the former Director of the CIA, the Chair of President George W. Bush's National Intelligence Council, the former commander of the U.S. Pacific Command.

The ''others'' include the top brass at the U.S. Department of Defense, which has in its Quadrennial Defense Reviews for years described climate change as a ''global threat multiplier.'' These ''others'' might just know what they are talking about, and they are not burdened with the conflict of interest of being the CEO of a company that is sponging a $700-billion subsidy off the American taxpayers every year. Perhaps the problem is that Mr. Tillerson is too steeped in the fossil fuel industry to hear the ''others'' who have dedicated their careers to defending the American people.

The United States ought to represent to the world a model of democratic leadership and honesty. That is how we get away with saying that we are a city on a hill. That is how we explain to the world that we hold up a lamp in its darkness. The telling responses from Mr. Tillerson's hearing matter because he will be the one to direct or abdicate America's global leadership on this critical issue.

We may be blind in this Chamber to the fact that the fossil fuel industry is calling the shots, pulling the strings, has control over our democracy, and is going around breaking our democratic checks and balances in order to seize control. But the rest of the world knows. You don't think the rest of the world can see why this body will do anything on climate change when every American State university knows that it is coming on, when every American scientific society knows that it is coming on, when our defense professionals know that it is coming on and warn us about it, when NASA and NOAA know that it is coming on and warn us about it?

You don't think that the people of Russia and China and Germany know that we are the ones who have a craft driving around on the surface of Mars? You don't think they know how good our scientists are, and you don't think they know that the NASA scientists are telling us climate change is serious, it is coming at us, it is going to be catastrophic if we don't act—we have to do something? They know that.

Everybody sees it. It is in plain view. What is missing is that Congress will not act because the tentacles of the fossil fuel industry swarm through this place. The world sees it and knows it and history will judge us for it.

Tillerson has spent his career leading an international oil company that has been consistently and fundamentally dishonest with the world as to what ExxonMobil knew about climate change. His professional life has been centered on extracting—extracting fossil fuels from the earth, extracting drilling concessions from corrupt regimes, extracting special tax favors from Congress, and extracting profits for his shareholders.

Well, American leadership in a dangerous world is about more than that. That is why I could not support his nomination. He is just one of several individuals nominated by President Trump who cannot accept the science of climate change or who harbors close ties to the fossil fuel industry or both—usually.

Oklahoma attorney general Scott Pruitt is Trump's nominee for Administrator of the Environmental Protection Agency, the bureau most directly responsible for leading the U.S. effort to stave off the effects of climate change. Mr. Pruitt has such deep political and financial ties to fossil fuel companies and front groups that it is hard to tell where they give off and he begins. He has served as the industry's mouthpiece and attack dog for years.

When he was asked during his Environment and Public Works Committee confirmation hearing to explain his dealings with the fossil fuel industry through secretive, dark money groups that he operated, which have been tied to specific companies he would be charged with regulating should he be confirmed, he provided misleading, incomplete, and evasive answers.

So we submitted substantive followup questions, asking him to set the record straight. Once again, he chose to provide evasive and empty responses. Right now, his record is a black hole of special interest secrecy about his dark money links to the fossil fuel industry. That ought not to be acceptable to anybody in the Senate.

We have a constitutional duty to provide advice and consent on administration nominations. Any Senator who believes that Congress should have a role in overseeing this administration should take note of this. In response to questions following up on Pruitt's hearing, rather than providing information sought by the committee, he instructed the Senate to file open records act requests for the information with the State of Oklahoma.

If Pruitt is willing to tell Senators who are poised to vote on his nomination to go to the back of a very long, first-come, never-served line to learn more about his conflicts of interest, I can hardly imagine how unresponsive he will be when Congress asks for information about changes he wants to make to the renewable fuel standard, changes he wants to make to clean air protections, changes he wants to make to our clean water protections or to toxic regulations.

By the way, he has stonewalled for more than 2 years, producing 3,000 emails between him and his office and identified fossil fuel companies and front groups—stonewalled an open records request for 2 years. His office admits there are at least 3,000 of them. Of the 3,000 emails between him and the fossil fuel industry that his office has admitted exist, how many do you suppose he has produced for the Environment and Public Works Committee—out of 3,000? Pick a number. I will tell you what the number is: zero; not one.

The party that for a long time had a really determined interest in emails suddenly has no interest in these emails at all. Emails? What emails? If it is fossil fuel companies on the other end of the emails, suddenly it does not matter. Pruitt does not want the Senate and the American people to know

about his dealings with his polluter patrons. But we should know. It is our job to know. The public should know—but not when it is fossil fuels.

President Trump also nominated Senator SESSIONS of Alabama as Attorney General, the position responsible for enforcing Federal environmental laws, like the Clean Air Act. He has invented the notion that the sky is not right in Alabama for solar power, saying, ''In my home State of Alabama, one would think we have a good bit of sunshine, but in truth, we have a lot of clouds, and solar is not effective in our area.''

In a 2015 interview with the Family Research Council, Senator SESSIONS said he was not even sure that global warming exists. That same year in a hearing with the EPA Administrator, Senator SESSIONS claimed that ''carbon pollution is CO_2, and that's not really a pollutant; that's a plant food, and it doesn't harm anybody except that it might include temperature increases.''

This is the man who wants to be Attorney General of the United States, who says he is going to follow the law. There is a Supreme Court case on point that says carbon is a pollutant. What does he say? Carbon pollution is CO_2, and it is not really a pollutant. That is just plain not the law.

By the way, try telling my Rhode Island fishermen, whose stocks are disappearing from the warming waters off our coast, that CO_2 does not harm anybody. Trying telling it to Senator MERKLEY's shell fishermen in Oregon who have had shellfish hatcheries wiped out by acidified seas coming in.

I asked Senator SESSIONS at the confirmation hearing whether, as Attorney General, he would make decisions in environmental cases based on scientifically accepted facts. Senator SESSIONS, to his credit, responded that he would and said that the ''theory'' of global warming ''always struck me as plausible.''

Well, if he is confirmed, he will have to hold a lot of these fossil fuel companies accountable under our environmental laws, and I hope he will familiarize himself with the science that he committed to follow because I intend to hold him to his pledge.

Last, over at the Department of Energy, Trump chose former Governor Rick Perry of Texas, a one-time Presidential candidate who campaigned on eliminating altogether the Department he now hopes to lead. Perry also does not accept the scientific consensus on climate change.

He has said:

> Historically in Texas we've always had substantial periods of drought. World temperatures have also been changing for millennia. I truly believe the science is not settled on the issue of man-made global warming.

Well, he had not checked with Texas universities when he said that. He was the Governor of Texas. He has not even checked with his own universities.

I went down to Texas. I had a hearing with climate scientists from the major Texas universities. They came in and said what they knew: It is real. It is coming. We are already seeing it. It is important. We have to get ahead of it. It is caused by CO_2. We can solve that. Let's get to work.

It is not a complicated message. It is coming from his home-State universities.

Why would a Governor not follow the message of science developed and propagated by his own home-State universities? Why? Because the fossil fuel industry is so powerful that it will not let people recognize the truth. In the confirmation, Perry continued to hedge his bets. He said:

> I believe the climate is changing. I believe some of it is naturally occurring, but some of it is also caused by man-made activity. The question is how do we address it in a thoughtful way that does not compromise economic growth, the affordability of energy or American jobs.

Well, if Governor Perry were actually being thoughtful about it, he would heed economic analyses like the Risky Business Project that show if we don't address climate change in a serious way, worsening storms, rising seas, warmer temperatures, and other extreme weather events will cost the United States billions of dollars. Just ask the insurance industry. In fact, ask our own CBO who testified today that these are concerns we need to look at.

President Trump's Cabinet nominees should be working for the American people. But their public records show that they are more likely to listen to the Koch brothers, to ExxonMobil, to Devon Energy, to Murray Energy, to the special interests and the fossil fuel industry, and that they will not listen to our military, they will not listen to our national labs, they will not listen to NASA, even though they have that rover driving around on Mars and presumably know a little something about science. They are more likely to protect the profits of polluters than protect the health of Americans.

Mr. President, there is too much at stake here to let Washington sink into the polluters' swamp. This whole scenario is an embarrassment to our country. It is going to be a lasting stain on our national reputation.

Bringing us back to this Congressional Review Act, here we go again. The Congressional Review Act action was brought to benefit coal company polluters at the expense of our natural heritage, our children, and our common good, just so they don't have to clean up the mess they left behind, just so they don't have to clean up ruined public streams. It is just the latest demonstration that in this Congress, fossil fuel is king, doesn't care for our future, doesn't care for anything but what goes into its own pockets, and it is a disgrace.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 11 a.m. tomorrow.

Thereupon, the Senate, at 9:25 p.m., adjourned until Thursday, February 2, 2017, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SUPREME COURT OF THE UNITED STATES

NEIL M. GORSUCH, OF COLORADO, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, VICE ANTONIN SCALIA, DECEASED.

DEPARTMENT OF JUSTICE

ROD J. ROSENSTEIN, OF MARYLAND, TO BE DEPUTY ATTORNEY GENERAL, VICE SALLY QUILLIAN YATES, RESIGNED.

RACHEL L. BRAND, OF IOWA, TO BE ASSOCIATE ATTORNEY GENERAL, VICE DEREK ANTHONY WEST, RESIGNED.

STEVEN ANDREW ENGEL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE VIRGINIA A. SEITZ, RESIGNED.

CONFIRMATION

Executive nomination confirmed by the Senate February 1, 2017:

DEPARTMENT OF STATE

REX W. TILLERSON, OF TEXAS, TO BE SECRETARY OF STATE.

EXTENSIONS OF REMARKS

RECOGNIZING FAMILIES IMPACTED BY THE NATIONAL OPIOID EPIDEMIC

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to include in the RECORD the personal stories of families from across the country that have been impacted by the opioid and heroin epidemic. In the U.S. we lose 129 lives per day to opioid and heroin overdose. In my home state of New Hampshire I have learned so many heartbreaking stories of great people and families who have suffered from the effects of substance use disorder.

Earlier this year, my colleagues and I were joined by many of these courageous families who came to Washington to share their stories with Members of Congress and push for action that will prevent overdoses and save lives. Since then, we passed both the Comprehensive Addiction and Recovery Act and the 21st Century Cures Act to provide much needed funding and critical policy changes to fight this epidemic.

The advocacy of these families truly is so important to leading change in Washington and I am proud to preserve their stories.

KEVIN ''KEV'' CAROTENUTO—PROSPECT PARK, PENNSYLVANIA

Kevin ''Kev'' Carotenuto was born on May 3, 1993. By the time Kevin got to middle school, he was a talented athlete and very involved in sports, however, school just didn't click for him. Kev started showing signs of ADHD very early on. His mother tried to get him an Individualized Education Program (IEP) but was denied, so she put him in counseling. Kev turned to drugs to cope with the stress of his struggles.

Kev was arrested shortly after his 18th birthday for robbery of three houses in his family's neighborhood. He didn't commit the crimes alone, but wouldn't snitch on his friends. He received an 18 month sentence in county prison and $30,000 in restitution. Both Kevin's parents visited him and put money on his books the entire time he was in prison.

Six months after his release, Kev started using heroin. He was in and out of countless treatment facilities until he was sent back to jail in February of 2015. Kev was caught using heroin in a public bathroom and was arrested for violating probation. He was sentenced to seven months in county jail.

Kev was released the Monday before Thanksgiving to a local halfway house. He was put on blackout for seven days and then was allowed to go out for four hours at a time. Kevin worked for the newspaper union as an extra so he would call in daily for work. The Thursday after Thanksgiving Kevin was booked for an 11 p.m. to 5 a.m. shift.

Kev told the halfway house that he had work but proceeded to contact a cellie from jail who came to pick him up. When Kev arrived back at the halfway house he tested hot for suboxone. He was kicked out immediately and the halfway house never notified his family. Kevin was on the streets for a week before he came clean with his mother.

Kev said it was time for him to be a man and he would get himself to rehab. He was approved for 26 days of treatment. Seven days before his release, Kev's mother requested a family meeting with his counselor. The counselor informed her that on Monday the aftercare specialist was going to have a conference call between Kev, herself and the counselor. Monday came and went and no call, so Kev's mother started leaving messages with the counselor. She called everyday and left messages—no response.

January 7, 2016, came around and Kev said, ''Ma, come get me, I got my coin.'' Off she went to pick him up. He came home so happy and ready to stay clean. He went to probation the next day where he asked the probation officer (PO) to see him twice a week to keep him honest, which the PO did for one week. The following week the PO told Kev he didn't have time to see him so often. The PO ordered Kev to complete IOP, so on January 8th he called and was told the first opening was 22 days away. Kevin went 22 days with no treatment except for NA meetings and a bible study group of men in recovery.

On the 29th of January Kev went to IOP for his evaluation and when he came out he said, ''All good, my first session is on February 1st.'' On February 1st Kev's mother woke up and went into Kev's room and found him sitting on the side of the bed with his head in his hands and his hoodie on. She said his name two times and got no response. She then called 911. When she went to touch Kevin's shoulder, his stiff body fell to the floor. His mother saw the needle 1/2 full of clear liquid. She went to move his hoodie to get to his neck to check his pulse and all she saw was the side of his face—purple and cold. He was Dead. A mother's worst fear comes true.

Kev passed away on February 2, 2016, from an overdose of poisoned heroin.

JESSICA MARY MILLER—GLENSHAW, PENNSYLVANIA

Jessica Mary Miller died at the age of 31. Jessica struggled with addiction for 15 years and was also afflicted with severe mental illness.

Jessica died at the hands of her mentally ill boyfriend. She had been in the relationship for only five months and thought she found the ''love'' of her life. Jessica had been doing much better than she had been past, and her mother was hopeful she may be ready to overcome her struggles with addiction. But like many women who battle addiction, she desired a partner who would make her feel worthy and wanted. It didn't matter what they looked like, how old they were, or what they provided financially—she just needed assurance from a romantic relationship.

One night, after Jessica boyfriend's unemployment check came in, they got into a fight about how the money was going to be spent. Her mother only assumes this was the main argument from the phone call she got from Jessica that night. After they spoke on phone at approximately 10 p.m., the police were at Jessica's mother's door at 5 a.m. to tell her Jessica had been strangled and was found outside the steps of her apartment. At first, the police told her mother that Jessica died by suicide but the boyfriend was later charged and convicted for murder by strangulation and is now serving 25 years in jail.

Jessica's mother is writing to show that not only drug overdoses are killing our children, but also the fall out of both drug use and mental instability. Not only girlfriends or spouses, but the innocent children who can't fend for themselves when their parents are so engulfed in their addiction.

It has been three years since Jessica's death and there isn't a day that goes by that her mother doesn't think of her. Many might fmd this strange, but her mother does not hate the person who took Jessica's life, as he is just as sick as Jessica was. They chose to be together and she knew what he was like, and chose to stay. A mentally healthy person would not put herself in that position. This was not Jessica's only bad romantic relationship, they were all bad, and her addiction drove her from one bad relationship to another.

KENT DAVID CHARLES EDWARDS—PHOENIX, ARIZONA

Kent Edwards, 18 years old, died of an accidental prescription drug overdose in 2003. One night during his sophomore year of high school, Kent called his mother to say that he was out with some friends and wasn't coming home that night. He was calling because he didn't want to worry his mother, but when they hung up she knew something was wrong. Kent's mother waited for him when he came home at 6:00 a.m.

Life changed for the Kent's family that morning. Kent went to the doctor and tested positive for substances. His family restricted and monitored Kent's activities.They made a lot of changes that next year and Kent adjusted fairly well. He transferred schools and graduated with ease. Kent got a job he loved and spent time with his friends and family. His family thought they had dodged the bullet—Kent didn't want to be addicted to drugs so they mistakenly thought they were in the clear. It seemed that all was well, but Kent's family didn't know any better.

Before Kent turned 18, he was scheduled to have his wisdom teeth removed. His mother filled the prescription before his surgery. As she was looking at the bottles, she noticed that one of them had fewer pills in it than the other. When she confronted Kent about it he admitted to having taken some.

She asked Kent why and his answer was chilling. He asked his mother to think about a time in her life when she had felt ''Great''—''The Best.'' When she nodded Kent said, ''The first time you get high, it's better than that. It feels so good that you want to feel that way again—only it's physically, chemically impossible.'' He explained how the drugs alter your brain chemistry and why people take more and increase their frequency of use in an attempt to get back to the feeling of that first high.

On a Monday in September, 2003, there was a knock on the Kent's family's door and soon they heard the words: ''Your son has died.''

Kent and two other kids crushed some Oxycontin and washed them down with beer. Kent got sleepy and the other two left. As Kent slept, the drug slowed his respiratory system down until it stopped completely. His roommate found him the next day—already gone.

CALEB SMYTHIA—LOUDON, TENNESSEE

Caleb Smythia, oldest of four, was his mother's biggest fan and the idol of his

brother and two sisters. Caleb was a great cook, loved all kinds of music and had a passion for playing the guitar. Music became so much a part of Caleb's life because he found it to be therapeutic.

Caleb's struggles began at age 16. He went through many rough patches and began abusing methamphetamine. When objects and money kept missing at home, his mother filed an unruly charge against him and Caleb became a child of the state. He spent over a year and a half in three different foster homes and one group home. Unfortunately, Caleb was never placed in a treatment facility, even though he relapsed and tested positive for five different drugs in his system.

When Caleb eventually went home, he seemed to have his life back on track. After graduating high school, Caleb had hopes of going to culinary school. However, within days after graduating, Caleb returned to his old friends who were abusing methamphetamine and pills.

Eventually, problems with Caleb were so bad that his mother told him he was no longer welcome in her home. One late night in the pouring rain, Caleb knocked on the door. His mother told Caleb she would take him to the ER or to a treatment facility but he couldn't come into the house. Even though Caleb was at such a low point and begged for help, the ER turned him away.

Another night Caleb arrived at his mother's door bloodied and broken. Caleb had been beaten and tortured for two hours by eight members of the local college baseball team. One of the players had given Caleb $35 and asked him to get Percocet. Caleb was so deep in his addiction that he kept the money in order to get a fix. To retaliate, the team forced a mutual friend to trick Caleb into another drug deal. When Caleb went to meet the friend, he was abducted, thrown in the back of a truck, and held down by his throat. The baseball team drove Caleb to a field where he was kicked and stomped while curled in a fetal position. Caleb begged for his life and promised to pay them $50 if they let him go. The next day, two of the boys came to Caleb's mother's house to get the money. One of them was holding the same baseball bat they had used to break Caleb's knee the night before. Three of the eight boys were charged and convicted of felony assault for which they received 10 years probation. Caleb refused to testify against his attackers in court because he felt like he deserved the beating.

The Caleb's family soon moved and everything seemed to be well again. However, Caleb's mother worked two jobs and didn't know that Caleb was getting into his grandmother's pain pills. Caleb went to live 200 miles away with his father. Unfortunately, Caleb wasn't kept safe—his father also had a substance abuse disorder. Caleb overdosed and died on Christmas morning of 2015, after being sold a black market pills that contained fentanyl.

MICHAEL ''MIKE'' JAMES TURNER—NORWALK, CONNECTICUT

So many people think ''drunk'' or ''junkie'' when they see someone suffering from addiction. What they can't see is a person that is stuck in a body they can no longer control.

Mike Turner suffered from addiction. He was also type I diabetic and had a chiari malformation in his brain. He had a long history of alcohol and drug abuse and in the end, it was heroin that took him. Those were Mike's labels, but that is not who Mike was—the man he was, was an affectionate, exciting and hilarious dad, boyfriend, son, brother, and uncle. He had integrity, he was honest, and charitable. Mike participated in Chiari Malformation Cancer, Autism and Addiction events. He planned on going back to school to become an addiction counselor.

Mike acknowledged his issues and fought to better himself in the best way he knew how. Mike even went through a parenting course to try to be a better dad. He loved his kiddos—Mike Jr. and Amber—more than anything. He was all about his family and looked forward to weekly Sunday dinners at his mom's house.

Mike was a funny guy—pretty clumsy and always getting into mischief. He was so positive and encouraged everyone around him in their pursuits. Everyone who knew the real Mike loved him.

Mike had his demons, however, and he knew that overcoming his addiction was the most important thing. As long as he was using he was useless to his kids, his family, and his job. Mike knew the hurt his addiction caused others and that destroyed him. It devastated his family to witness his hurt and share his pain. Mike tried detoxing and treatment numerous times. He was part of a group called the SNAKES—Soldiers Needing Accountability Keeping Each Other Sober in Christ. In April 2016, he graduated from a program with 9 months clean.

On April 22, 2016, just three weeks after his graduation, Mike was living with his girlfriend, Theresa, again: He woke up with a start that morning and said he had low blood sugar. By 8:30 a.m., his sugar was up and he said he was feeling much better.

Mike's last message to Theresa was at 9:17 a.m.: ''no worries im alive :cP.'' Theresa called him after her meeting around 10:30. He didn't answer so she called again . . . still no answer. She kept trying. Theresa had another meeting that ended around 11:45. She tried calling again and there was still no answer. Fearful that his sugar had dropped too low, she ran home. When Theresa got home around 12:30 p.m., she opened the door and found Mike.

Mike had relapsed after being 9 months clean. Theresa had no idea that he had been using. He overdosed some time between 9:17 and 10:30 that morning, on April 22, 2016. He was 33 years old.

NICHOLAS WADE BRANHAM—FREDERICK, MARYLAND

Nicholas Wade Branham passed away from a heroin overdose on July 15, 2016. He was 30 years old.

Nicholas was born on December 30, 1985. He struggled with addiction for several years, along with his girlfriend, who preceded him in death on January 16, 2011. It was her passing that helped him to get his life together and to get clean. Nicholas had been sober for almost five years; therefore, his passing was complete shock to me and utterly devastating. He was my son. He was my best friend. He was my everything.

Nicholas had a passion for tattoos and cooking. He was very sarcastic and funny—he always made me laugh. His family misses his laughter so much. Nicholas had such a kind heart. His mother loves to hear his friends tell stories of how Nicholas would prank them, but more importantly of how he would rescue them in a time of need or just be there for them if they needed someone to talk to.

''I really just don't understand any of this,'' writes his mother. ''I hate that this is my son's legacy because he was so much more than that. Nicholas was a good person, a son, a grandson, a nephew, a cousin and a friend. He is so sorely missed. Rest in peace my dear sweet boy.''

JOHN ''BUBBA'' CARTER—PELHAM, NEW HAMPSHIRE

John ''Bubba'' Carter died of a drug overdose on July 16, 2016.

Bubba was a sweet young man. He was always looking out for others and putting them above himself. Watching Bubba self-destruct was like a heart palpitation that just wouldn't quit. He was one of those people that you only get once in a lifetime; one of those people who changes your life the second they enter it. Their smile lights up your life, and it's something that never fails to make your day one hundred percent better. Bubba will always be that person for his sister—the person who could always make her day better just by being around. Bubba never knew how much he was loved and how many people cared about him. He grew up in a loving home with parents that never kept alcohol or prescription drugs around. His mother is a police officer, who sees the tragedy of what drugs do to families every day on the streets, and his father has been in recovery for 20 plus years; it just goes to show that drug addiction can happen to anyone.

Bubba started using drugs when he was 13 years old. First it was marijuana and alcohol, and soon after he was introduced to Adderall, Percocet, cocaine, and heroin. His drug addiction took over his life quickly. The times Bubba was strong enough to ask for help, he would. Bubba went to his first treatment facility when he was 15 years old, after he overdosed by mixing adderall and alcohol while at a party in town. ''It was hard to see my mother struggling to get her son back from the drug monsters that controlled him,'' writes Bubba's sister.

Bubba attempted many times to live a life of sobriety. At 16 years old, he entered his second treatment facility, after having high levels of THC that put him into a drug-induced psychosis. After completing this program, Bubba attempted to attend AA and NA meeting regularly but the triggers that surrounding him were too strong. The stigma of drug addiction surrounded him everywhere he went. Bubba encountered people that would attack his sobriety by bringing up his past drug use. This made him feel as if no matter how hard he tried to stay clean Ile was still living in the shadows of his addiction.

On March 17, 2016, with the help of family and friends, Bubba entered his final detox and treatment facility. After three weeks, he left the facility and returned home. His family learned later on that Bubba maintained a full 30 days of sobriety on his own between March and April. He was very proud of himself. Bubba relapsed in May of 2016.

Two weeks prior to Bubba's death on June 30, 2016, his entire family, along with some of his friends, attempted an intervention. At the time Bubba was no longer living at home. Although his family kept in contact with him, they had decided to stop enabling him hoping he would choose recovery again. During this intervention the police were also involved and tried to help him, but because Bubba knew all the ''right'' words to say, their hands were tied. They then learned that Bubba had started using heroin intravenously.

On that same day but before the intervention, Bubba called his sister and ask to meet up to talk. She frequently recorded conversations with him hoping one day she could use them as a strategy to encourage him to stay clean. His sister immediately went to see him. When they met, Bubba spoke about his goals, and how he no longer wanted to live a life that made him feel unworthy to be loved. Bubba didn't want to cry anymore, didn't want to feel hungry because he spent all his money of drugs and didn't want to struggle. That's when his sister noticed the track marks on his arms. ''My heart ached. My face drained in color and I started to shake. I didn't want to see my little brother hurting. Before I drove off, Bubba asked for a hug and said 'If I don't see you in two weeks, I want you to know I love you.' But I didn't know two weeks was going to come so soon.''

Even though Bubba was suffering from addiction, it never stopped him from caring for and loving others; he was always putting people before himself. After his death, his family have had many strangers and friends contact them and told them stories about their interactions with him. Bubba always expressed to his family, that he was an outsider and did not have many friends, but they knew that was his addiction making him believe those lies. As his family saw from the outpour of support from extended family, friends and the community, Bubba was loved beyond measure. They got a letter from a neighbor that said Bubba helped her weed her yard because he saw her struggling to walk with her cane. She didn't know who he was until she saw his obituary in the paper. Another girl told them about how Bubba paid for her coffee in the drive thru and they became close friends and encouraged each other daily.

''Addiction is real,'' writes Bubba's sister. ''It is affecting families everyday and making them question if they're going to see their loved ones ever again. It's time for us to unite and break the silence.''

''I know that if my brother was here he would tell everyone struggling that it is okay to reach out for help, it doesn't make you weak. You need to associate with people who inspire you, people who challenge you to rise higher, people who make you better. Don't waste your valuable time with people who are not adding to your growth. Your destiny is too important.''

''Our brothers and sisters are the first real relationships we have outside of our parents. Bubba was my brother—my first friend and the first person I learned to play with, share with, and laugh with. Bubba was the first person who picked on me, fought with me and taught me forgiveness. A life without him was never in sight. And I think that's the hardest thing to get over.''

HONORING THE 90TH BIRTHDAY OF THOMAS H. BIRDSONG III

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. BEYER. Mr. Speaker, I rise today to celebrate the 90th birthday of Thomas H. Birdsong III, a great Virginia business leader.

Mr. Birdsong has a lifetime of leadership and commitment within the peanut commodities business. His company, Birdsong Peanut, is the largest company of its kind in the United States. Birdsong Peanut Company got its start in 1914 as a feed and seed store in Courtland, Virginia. In 1939 the founder of Planters Peanuts, asked the company to relocate near his factory in Suffolk, Virginia. That plant is still in operation today. Mr. Birdsong partners with farmers throughout the United States and sells to peanut product manufacturers around the world. His clients consist of companies such as Mars, Snickers, and Smuckers.

Thomas H. Birdsong III graduated from Randolph-Macon College in 1949, received the Algernon Sydney Sullivan Award from the college in 2009, and in 2013 received an honorary degree of law. He has also served as a philanthropic leader at Randolph Macon College. His commitment to quality and service has proven successful not only in the peanut business but also in community relationships both at home and around the globe.

I am honored to congratulate Mr. Birdsong on his 90th birthday celebration; I thank him for the many lives that he has touched along the way. It is for these reasons that I join Mr. Birdsong's family and friends in wishing him a blessed 90th birthday and continued health and happiness in the years to come.

MITCH MORRISSEY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and congratulate Mitch Morrissey as he completes his tenure as the Denver District Attorney. I would also like to thank Mitch's wife, Maggie, for lending her husband to the Denver community for so many years. During his time in office, Mitch made it his mission to protect the public, advocate for victims of crime, and respect the rights of the accused. He worked tirelessly to promote stronger relations between law enforcement and the Denver community.

For 11 years, Mitch has been the chief prosecutor for the Second Judicial District. Prior to his election, he worked in the Denver District attorney's office for 20 years, 10 of which he served as the Chief Deputy D.A. In his role as D.A., Mitch was responsible for thousands of felony and misdemeanor prosecutions each year, supervising over 70 attorneys and 120 staff members, all while prioritizing victims' needs. Mitch led an invaluable team of Victim Advocates with a particular focus on those in under-served areas and communities. He is nationally known for his expertise in DNA technology, applying it in criminal prosecutions and working to ensure DNA science is admissible in our courtrooms. In addition, Mitch's relationship with and support for Colorado's law enforcement community has been exceptional. Thanks to his hard work, Mitch is also the recipient of numerous awards, including ''Prosecutor of the Year,'' by the Colorado District Attorneys Council and the ''Patriot Award,'' by the Employer Support of the Guard and Reserve.

Mitch is also a true son of Colorado. He is a Denver native, a graduate of the University of Denver College of Law, the University of Colorado at Boulder, and Mullen High School.

I congratulate Mitch for his achievements. I applaud his dedication, leadership, and commitment to justice for Colorado's citizens. I am proud of the work he has accomplished and wish him all the success and happiness in the years to come.

APPLAUDING ERRICAL BRYANT FOR HER SERVICE TO ALABAMA'S FIRST CONGRESSIONAL DISTRICT

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. BYRNE. Mr. Speaker, I rise today to share my deepest appreciation for my Director of Operations, Errical Bryant, for her years of service to Alabama's First Congressional District. Today marks Errical's final day serving the people of Southwest Alabama.

Like so many on Capitol Hill, Errical started out as an intern for Congressman Sonny Callahan in 2000. After working for a period of time as a door attendant in the U.S. Senate, Errical returned to serving the First District as Constituent Services Director for Congressman Jo Bonner. She later added the responsibilities of Administrative Director and Scheduler. Errical served in this position for over ten years, until Congressman Bonner retired from Congress in 2013.

Mr. Speaker, I asked former Congressman Jo Bonner to share his appreciation for Errical. Congressman Bonner said, ''Simply put, Errical is a wonderful human being—one of the finest people I know—and her many characteristics of honesty, hard work, dedication, and patriotic duty are the very qualities that will well serve America's next Attorney General. There are very few people in Alabama who have interacted with our office over the past 14 years who have not had the pleasure of working with Errical Bryant. In many ways, she has become the face of Alabama's First Congressional District in Washington and she has always made visitors feel extra special and at home, forever representing Congressman Byrne and me in the most professional manner humanly possible. While Errical's strengths are considerable, her talents are unlimited and her love of country is second to none.''

When I was elected to Congress, one of the first pieces of advice I received from Congressman Bonner was to hire Errical. I distinctively remember my wife, Rebecca, and I meeting with her to discuss the position. During our meeting, Errical said ''If you do everything I tell you to do, then you will be a really good Congressman.'' Having worked with Errical over the last three years, I can say there was a lot of truth to that statement.

As my Director of Operations, Errical handles everything from scheduling meetings to managing office finances to planning special events. She is a master of the little things and keeps the office running smoothly and effectively. Despite all the stress and pressure of a Congressional office, Errical keeps the train on the tracks and the schedule moving.

She has also helped countless people from Southwest Alabama arrange successful visits to our nation's capital. Upon their arrival to Washington, she has been a welcoming face ensuring southern hospitality remains ever present in our office. In addition to planning everyday visits, she has overseen ticket distribution for multiple presidential inaugurations and major gatherings.

Errical has arranged important visits to Southwest Alabama for other Members of Congress, cabinet officials, and foreign ambassadors. These visits were planned and executed perfectly, which helped leave a positive impression of our part of the country on both national and world leaders.

As our internship program coordinator, Errical has also helped mold and shape the next generation of leaders. She has instilled professionalism and confidence in countless young professionals that will serve them well in whatever career path they take.

In addition to all of her official duties and responsibilities, Errical has served as the office's unofficial party planner and executive chef. Displaying the same southern hospitality she shows to our constituents, Errical has organized countless celebrations for co-workers,

usually bringing in a classic "Pouncey Family" homemade cake or pie.

I asked some of her current and former colleagues for one word that describes Errical, and I think these hit home: dedicated, steady, diligent, passionate, ethical, motivated, funny, sunny, meticulous, loyal, accommodating, conscientious, and tenacious.

Mr. Speaker, Errical has been "the face" of Alabama's First Congressional District for much of the last fifteen years, and her service will be missed. As she moves on to begin a new role, I want to wish her and her husband, Thurston, all the best.

So, on behalf of Alabama's First Congressional District, I want to thank Errical for her years of hard work, commitment, and service to Southwest Alabama.

THE IMPACT OF THE REPEAL OF THE ACA

HON. ROBIN L. KELLY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. KELLY of Illinois. Mr. Speaker, I include in the RECORD this article concerning the repeal of ACA.

[From the Washington Post]

REPEALING THE AFFORDABLE CARE ACT WILL KILL MORE THAN 43,000 PEOPLE ANNUALLY

(By David Himmelstein and Steffie Woolhandler)

Now that President Trump is in the Oval Office, thousands of American lives that were previously protected by provisions of the Affordable Care Act are in danger. For more than 30 years, we have studied how death rates are affected by changes in health-care coverage, and we're convinced that an ACA repeal could cause tens of thousands of deaths annually.

The story is in the data: The biggest and most definitive study of what happens to death rates when Medicaid coverage is expanded, published in the New England Journal of Medicine, found that for every 455 people who gained coverage across several states, one life was saved per year. Applying that figure to even a conservative estimate of 20 million losing coverage in the event of an ACA repeal yields an estimate of 43,956 deaths annually.

With Republicans' efforts to destroy the ACA now underway, several commentators have expressed something akin to cautious optimism about the effect of a potential repeal. The Washington Post's Glenn Kessler awarded Sen. Bernie Sanders (I–Vt.) four Pinocchios for claiming that 36,000 people a year will die if the ACA is repealed; Brookings Institution fellow Henry Aaron, meanwhile, predicted that Republicans probably will salvage much of the ACA's gains, and conservative writer Grover Norquist argued that the tax cuts associated with repeal would be a massive boon for the middle class.

But such optimism is overblown.

The first problem is that Republicans don't have a clear replacement plan. Kessler, for instance, chides Sanders for assuming that repeal would leave many millions uninsured, because Kessler presumes that the Republicans would replace the ACA with reforms that preserve coverage. But while repeal seems highly likely (indeed, it's already underway using a legislative vehicle that requires only 50 Senate votes), replacement (which would require 60 votes) is much less certain.

Moreover, even if a Republican replacement plan comes together, it's likely to take a big backward step from the gains made by the ACA, covering fewer people with much skimpier plans.

Although Aaron has a rosy view of a likely Republican plan, much of what they—notably House Speaker Paul D. Ryan (R–Wis.) and Rep. Tom Price (R–Ga.), who is Trump's nominee to head the Department of Health and Human Services, which will be in charge of dismantling the ACA—have advocated in place of the ACA would hollow out the coverage of many who were unaffected by the law, harming them and probably raising their death rates. Abolishing minimum coverage standards for insurance policies would leave insurers and employers free to cut coverage for preventive and reproduction-related care. Allowing interstate insurance sales probably would cause a race to the bottom, with skimpy plans that emanate from lightly regulated states becoming the norm. Block granting Medicaid would leave poor patients at the mercy of state officials, many of whom have shown little concern for the health of the poor. A Medicare voucher program (with the value of the voucher tied to overall inflation rather than more rapid medical inflation) would worsen the coverage of millions of seniors, a problem that would be exacerbated by the proposed ban on full coverage under Medicare supplement policies. In other words, even if Republicans replace the ACA, the plans they've put on the table would have devastating consequences.

The frightening fact is that Sanders's estimate that about 36,000 people will die if the ACA is repealed is consistent with well-respected studies. The Urban Institute's estimate, for instance, predicts that 29.8 million (not just 20 million) will lose coverage if Republicans repeal the law using the budget reconciliation process. And that's exactly what they've already begun to do, with no replacement plan in sight.

No one knows with any certainty what the Republicans will do, or how many will die as a result. But Sanders's suggestion that 36,000 would die is certainly well within the ballpark of scientific consensus on the likely impact of repeal of the ACA, and the notion of certain replacement—and the hope that a GOP replacement would be a serviceable remedy—are each far from certain, and looking worse every day.

AFAQ SELECTED TO REPRESENT TEXAS AT THE CONGRESS OF FUTURE SCIENCE AND TECHNOLOGY LEADERS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Shaikh Afaq of Sugar Land, TX, for being chosen to represent Texas as a Delegate at the Congress of Future Science and Technology Leaders by the National Academy of Future Physicians and Medical Scientists.

Shaikh was nominated to this position because of her excellent academic record and desire to enter the Science, Technology, Engineering and Math (STEM) field. Through this program she will be able to meet some of the most important leaders in the STEM industry, including Nobel Prize winners and top scientific university deans. The Congress of Future Science and Technology Leaders is hosted to help motivate the top students in the country to pursue their desired careers in the STEM fields.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Shaikh Afaq for being selected as a Delegate at the Congress of Future Science and Technology Leaders. We are extremely proud and expect great things from her in the future.

RECOGNIZING FAMILIES IMPACTED BY THE NATIONAL OPIOID EPIDEMIC

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to include in the RECORD the personal stories of families from across the country that have been impacted by the opioid and heroin epidemic. In the U.S. we lose 129 lives per day to opioid and heroin overdose. In my home state of New Hampshire I have learned so many heartbreaking stories of great people and families who have suffered from the effects of substance use disorder.

Earlier this year, my colleagues and I were joined by many of these courageous families who came to Washington to share their stories with Members of Congress and push for action that will prevent overdoses and save lives. Since then, we passed both the Comprehensive Addiction and Recovery Act and the 21st Century Cures Act to provide much needed funding and critical policy changes to fight this epidemic.

The advocacy of these families truly is so important to leading change in Washington and I am proud to preserve their stories.

CARLTON FREDRICK MESSINGER II—HOLDERNESS, NEW HAMPSHIRE

On Sunday, September 28, 2014, Carlton's (Carl) family found out that he had been using heroin on and off for about a year. They were as shocked and bewildered as any parents could possibly be. They asked themselves: "How does a young adult who is a college graduate and taking advanced classes in chemistry and biology, getting A's & B's in the classes so he can apply to dental school use heroin?" His mother immediately thought that's not my child, there has to be a mistake. How did we miss this? How does a functioning member of society who six months ago started a thriving eBay business selling vintage transformer toys use heroin? There were many questions swirling around in her head after being told about Carl's heroin use. She felt, and still does feel, at times, that she is in a movie and this has not really happened to her family. She feels that Carl is out of town and will be coming back home someday. But then reality hits and she realizes Carl is never coming home.

Within minutes of being told about Carl using heroin, his family confronted him. After a lengthy, calm, and rational discussion, he confessed to using and that he was weaning himself off of it with Suboxone. Carl told his parents he wanted their help. The result of that meeting was an agreement: Carl would immediately enter a detox program, then enter a treatment facility.

After six phone calls and much frustration, his mother finally found a detox center that would take Carl. The reason for her frustration was not that there wasn't a bed available or that they didn't take their insurance;

the real frustration was his mother was told over and over again that if they didn't take our insurance, they could not accept him as a cash-only client. These specific detox centers had an agreement with insurance companies that they would accept approved insurance clients only.

Carl's mother finally found The Farnum Center in Manchester, NH, where Carl could enter as cash paying inpatient client if their insurance denied the request for coverage. As expected, their insurance denied the request to cover detox treatment for drug addiction. His mother was told that if Carl had an alcohol addiction it would be covered. She was also told that the insurance companies did not think you could die from drug detox.

Carl entered The Farnum Center detox program on Wednesday morning, October 1, 2014. At the end of the six-day inpatient program, everyone in the facility was convinced that Carl was going to make it. They made his family feel wonderful about their son; Carl had stopped using heroin on his own two months prior and was now detoxing off of suboxone. They also mentioned how Carl had helped other patients realize they could be treated for heroin addiction and have a better life. Before departing, the discharging doctor mentioned that if Carl was not ready to go right into rehab, he may be able to stay clean on his own since he had already stopped using heroin on his own and had previously used suboxone.

In another lengthy, calm, and rational discussion Carl made a case for not going to a treatment facility. Based on Carl's request, and the information his family received from the detox doctors, they ultimately agreed. After he successfully completed the detox program Carl moved home, and his parents felt they could monitor his progress adequately. They all agreed that he would have to stay clean and sober during this two-week trial period. At the end of the two weeks, Carl would be drug tested. If he tested positive he would enter treatment immediately. If at any time after the two week period Carl tested positive for drugs he would immediately go to treatment, no discussion. At the end of the two weeks, Carl took the drug test and passed with flying colors. His family congratulated him, and hugged him. They truly felt they had their son back and on the road to recovery.

On Tuesday, October 21, 2014, Carl came down with a bad upper respiratory infection and was taken to the doctor the next day. Carl's parents found out later that he never saw his regular doctor for this visit. He saw a doctor who was not familiar with Carl's medical history, and had no idea that he had just come out of detox for heroin addiction. They also discovered later that Carl's primary care doctor never wrote in his chart about his heroin addiction, and having just completed detox. Even though his primary care doctor was part of the process of getting Carl help.

Carl's parents found out after his death that the doctor never asked him if he had any alcohol or drug abuse issues before prescribing a codeine cough syrup for the infection. They learned that, five years before, the medical center had removed a template that would cue doctors to ask patients about substance use disorders prior to prescribing a narcotic. Carl's mother had a conversation with the CFO of this medical center, only to be told that, ''Yeah, we don't do such a good job with this issue. Our clinicians need to be mindful of these issues.''

When Carl's mother picked up the prescription for Carl, she was not aware that Cheratussin AC Syrup is a codeine cough syrup. There were no labels on the bottle stating that this cough medicine does in fact have codeine, and it can stimulate drug-seeking behavior. However, buried on the second page of the patient prescription information sheet it lists the following: ''Though very—unlikely abnormal, drug-seeking behavior is possible with this medication.''

The codeine in the cough syrup triggered the need for Carl to use again. His mother found him dead in his bathroom, with the syringe still in his hand. The memory of finding him cold, dead and blue will be something she lives with every day. ''This is an experience no parent should have to go through,'' writes Carl's mother.

''Carl died from fentanyl intoxication. There was no heroin in Carl's system, only fentanyl and codeine from the cough medicine. As my husband has said: this was the perfect storm. Unfortunately it took our son's life. Carl never had a chance to embrace sobriety. I feel some of the people we put our trust in failed Carl.''

''Carl was an educated, smart, and vital young man who came from a family who loved him very much. He had his whole life ahead of him and is sorely missed by his parents, brother, family, friends and everyone that knew him. We know Carl is in a better place. Carl will always be in our hearts.''

TYLER REED—POTEAU, OKLAHOMA

Tyler came into this world on January 27, 1992. Tyler was a natural fighter, independent and won the hearts of everyone he met. He excelled in all sports but was most passionate about baseball until ninth grade when he suddenly lost interest and quit playing. It was later learned that he had started experimenting with marijuana and alcohol and as a result, he started getting into trouble at school. As a single mother, Tyler's mom found herself at odds with a strong-willed boy who told her he just wanted ''to have fun and not be tied down by responsibilities, those will come soon enough.'' By the time Tyler graduated high school in 2010, he was using marijuana and alcohol almost daily and experimented with K2, bath salts and Xanax.

Tyler had dreams of becoming a Texas Ranger, but he had gone too far into his head and couldn't see a way out. He had gotten in trouble with the law for underage drinking and possession of marijuana on several occasions. He finally got his head clear for a while and started working on the road to pay off his fines. Everything seemed to be falling into place, but his love for fun and adventure kept him searching for the next good time.

On many occasions Tyler woke up still wasted, wondering where his money went. In May 2015 he came to me once again and said he was tired of the life he was living. He asked his mother for help. Tyler longed to have a straight mind and clean life but he just couldn't seem to shake the addiction. Despite his desire to clean up, he refused to go to an inpatient facility. As a nurse his mother set an alternative plan of care in motion and he stayed clean and sober for 29 days, until one day he left and she didn't hear from him for weeks. When his mother put out a missing person alert he surfaced just to let her know he was OK; she knew he was using again.

They talked off and on for a month while he was staying with a woman known in town to be a meth user. When she was arrested in August 2015 Tyler came asking for a place to stay. His mother let him stay under the conditions that he would get a job and stay drug-free. He did for a while but quickly reverted back to his partying lifestyle. She struggled with him and the choices he was making. His mother didn't know how to handle it.

One of Tyler's friends was found dead in a field from an overdose of meth, and Tyler was questioned in his death. Tyler's innocence was later proven, but that didn't curb the harassment he took from people that still believed he was guilty. That event shook Tyler and his mother thought he was on his way to being clean and sober. He seemed ready to conquer the world.

On February 6, 2016, Tyler went out with some people he thought he could trust. They drank and smoked pot and when Tyler passed out one of them shot him in the spine with a lethal dose of methamphetamines. Tyler was rushed into the hospital at 3:00 AM on February 7, 2016, with a core temperature of 108 degrees. The doctors didn't expect him to make it past the hour, but Tyler lived for 24 days in critical condition with severe multi-system organ failure. He was never able to speak a word again but he communicated with eye and hand movement. Drugs took his life away and his mother believes he realized that on March 2, 2016, when he tried to climb out of the hospital bed—it was as if he was saying, ''I am out of here momma, I'm going home.''

''Tyler lived a short 24 years,'' writes his mother. ''He had so much more life to live. As I said before, Tyler was a fighter and very independent, he wasn't going to be taken care of for the rest of his life. He thought he had control over his addiction and that he wasn't hurting anyone but himself. But there are so many of us hurting because his life ended on March 3, 2016, when he stopped fighting and was set free from the pain. I hope and pray that sharing his story will help someone else who is struggling. I have to believe that his life was not cut short for nothing, that good things will rise out of this tragedy. Rest, my sweet Tyler, and save a place for me. I'll be home soon. Until then I will share your story with whoever will listen!''

ADAM SCHULTZ—SANDY, UTAH

Adam Schultz was an incredible person, who lost his life to an accidental heroin overdose on November 24, 2012, after 150 days of being clean. He struggled every day with a substance use disorder. Adam worked hard on his recovery through treatment, recovery support, and medication.

Adam was born December 19, 1989, and his family were lucky enough to bring him home on Christmas Eve. He was their 9 lb. 4 oz. big, baby boy. Adam was always smiling and happy. He learned to walk at a very young age and his motor was always running. His family often referred to him as the ''Adam Bomb.'' At five years old he was diagnosed with ADHD and put on medication for hyperactivity and impulsivity.

Adam was gifted with his hands. He loved woodworking and became the handyman around the house. He was computer-literate and had received his A+ certification as a computer technician as well. He was regularly called by many with PC emergencies and were in need of troubleshooting or computer repairs. Adam never hesitated to help when asked. However, his true passion was working on cars. At age 13, he bought a 1966 mustang and decided to restore it himself and worked on it all through high school. He also loved his Mitsubishi Eclipse and always kept it in tip-top shape.

As a teen, Adam struggled with depression and it was difficult to find the right treatment. The doctors put him on multiple medications, which ended up causing seizures. He was then diagnosed with epilepsy and once the medication was adjusted the seizures stopped.

Despite all the diagnoses and medications, the one that had the biggest impact on Adam's life came in 2007, when he was 17 years old. Adam was diagnosed with degenerative disk disease and given a prescription for OxyContin. This dangerously addictive

medication quickly became a problem, and Adam was soon physically dependent, not just for pain but also to function in his daily life. This was where his addiction began.

In January 2008, at 18 years old, Adam checked himself into the hospital for being suicidal. He was then diagnosed with bipolar disorder and an addiction to opiates. He received counseling, started on bipolar meds, and was put on high doses of Suboxone to help with his addiction and also relieve his back pain. But six months later, after another night in the psych ward, he gave up on that medication and started using heroin.

''It is absolutely paralyzing to learn that your son has a substance use disorder,'' writes Adam's mother. ''The stigma of having a child struggling with addiction caused us to withdraw rather than seek help. We learned how to live life with the truth hidden in the back of our hearts. We knew Adam was more than his addiction, and we desperately wanted our boy back.''

Adam suffered and struggled for many years; finally, he found a medication that seemed to work for him. Adam received injections of Vivitrol for opioid addiction, and his life started getting back on track. After not using for 13 months, he relapsed and this time he started injecting heroin. After a six-month relapse, he set up an appointment to start receiving his Vivitrol shots again. In early November of that year, Adam was due for another injection. When he went in for his appointment, he managed to convince his doctor that he was ready to ''try'' one month without the shot. His entire life, Adam hated being on medication; whenever he started doing better, he insisted he didn't need it any more. So he stopped taking Vivitrol and scheduled an appointment for December to be re-evaluated.

Weeks later, Adam totaled his car on his way home from work. This was just too much and, after 150 days of not using heroin, Adam relapsed and lost his battle with addiction. Over 300 people attended his funeral. A woman Adam worked with told his family that just a few days before, Adam would have stopped to help someone fix a flat tire; this just goes to show you that people are more than their addictions.

ANDREW BENJAMIN SMITH—LAS VEGAS, NEVADA

Margie Borth's world was forever changed on October 5, 2014, when her husband uttered those words: ''I just received an email—Andrew is addicted to heroin.'' The news hit like a baseball bat between the eyes. Suddenly, all of the questions she'd been struggling with regarding her son were answered: Why so many car accidents? Why is he so distant? Why does he get mad and refuse to talk? Why doesn't he have any money?

Still I tried—I tried everything I could possibly think to do in such a desperate situation. I begged, sobbed, hugged, listened, scolded, yelled, pleaded—I mothered. I bargained with Andrew and with God.

But he was just visiting for the weekend and soon he had to get back to his job. Within two weeks, he was in the hospital with his first DUI and another wrecked car. He had overdosed on the streets of Las Vegas while driving. Thank god no one was hurt. He died just 21 days later, after spending a short stint in rehab.

When remembering Andrew, the first thing people talk about is his intellect. He was extremely bright; he thrived in accelerated programs and graduated from college in three short years. Many of his friends have said, ''He was the smartest guy I've ever met.'' Then we remember his razor-sharp, witty, often self-effacing sense of humor. Andrew was also inquisitive, a good listener and a loyal friend. He was polite and people took to liking him immediately.

He was driven and it seemed as though he had the world at his fingertips. Andrew was confident about his opinions, view of the world and goals in life. He inspired many people during his short life. He was well loved by co-workers and a role-model for new employees at his new position in Las Vegas. His employer said they had so many plans for Andrew's future. She told me he always volunteered for extra projects, never complained and would have given the shirt off his back to someone in need.

Andrew began experimenting with drugs in high school, but his addiction to Oxycontin developed in 2009 while he was attending college in Florida during the Pill Mills—Oxy was cheap and readily available. Andrew often expressed his frustration with trying to find people on his intellectual level; Oxy made him feel more like everyone else. Oxy made people, life and college feel tolerable. Throughout the trajectory of his use, he thought he was in control. Even when he was forced to switch to heroin in 2014, he told a friend, ''Heroin is not so bad, it's just like Oxy.'' In August 2014, he took a job promotion in Las Vegas and thought he could leave heroin behind: ''Mom, I never planned to do heroin here,'' he said. ''I planned to quit, but I realized I was an addict when I got to Las Vegas and still had to have it.'' Even at the very end, when his life really began to unravel, he still thought he had the upper hand on this drug. He refused long-term treatment and thought he could return to work after detox. I spend the last 6 days of his life with him, he was clean for 19 days before he overdosed. During that time, he told me what I wanted to hear, ''I don't want to do heroin again, Mom.'' But he struggled; he was deeply sad and ashamed of what his life had become. On the surface, he was a successful corporate executive who appeared to have everything in check. He had great credit and a 401k. But in reality, he was a struggling addict who lived for Oxycontin and ultimately heroin—he was desperate to keep it a secret.

On a Monday afternoon, on November 10, 2014, Andrew handed me two red roses and said he wanted to go to an AA meeting. I was so excited that he was finally making progress and dropped him off at a meeting soon after. An hour later when he didn't respond to my texts or phone calls, I knew in my heart what had happened. The hospital called 45 minutes later. He was found in the bathroom of a Petsmart just down the street. It was too late to save him. He died alone.

I simply miss my son—he was my only boy and my youngest. Even though we lived in different cities, he was always present in my life except for the few times that he distanced himself due to his drug use. Even then, I knew I'd eventually get a phone call and a visit. I had hopes of grandchildren because he talked about becoming a father someday. He wanted to meet someone educated, maybe a doctor.

What I miss most is what could have been. He talked about wanting to move to the Pacific Northwest eventually, close to Portland, OR, where I live. I always thought he would join us. I miss his open-mindedness and intellect. His willingness to try new foods, adventures, places, his sense of humor. I miss our playful banter. I miss every phone call that ended in, ''I Love You''. Now there is just an enormous void in my life where he used to be. Sadness and tears are now a part of my everyday.

RON SLINGER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Ron Slinger for being honored by the Arvada Chamber of Commerce with the Chairman's Choice Award.

The Chairman's Choice is selected annually by the Chairman of the Arvada Chamber of Commerce Board of Directors to recognize a member of the community who has shown leadership and outstanding support to the Arvada Chamber.

Ron's extensive involvement, leadership and contributions in Arvada have resulted in a significant and long lasting impact in the community. His sense of humor and kindness bring positive energy and perspective to any opportunity he undertakes. Ron is a true advocate for the Arvada Chamber and has fully dedicated himself to the betterment of the community.

I extend my deepest congratulations to Ron Slinger for this well-deserved honor from the Arvada Chamber of Commerce.

SUPREME COURT NOMINEE NEIL GORSUCH

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. SEWELL of Alabama. Mr. Speaker, I rise today in response to President Trump's recent nomination of Judge Neil Gorsuch to the Supreme Court. I now call on my Senate colleagues to rigorously vet his nomination and ensure that his values and constitutional philosophies align with those of mainstream America. At this critical juncture in our nation's history, it is important that this nominee be a fair and impartial adjudicator of the laws that protect the rights of all Americans.

In the coming days and weeks, I look forward to learning more about the judicial opinions and constitutional philosophy of Judge Gorsuch. Unfortunately, Republicans did not extend this same courtesy to President Obama's nominee Merrick Garland. For 300 days, Senate Republicans defied the Constitution, ignoring President Obama's nominee, and refusing to even give him a hearing. However, I along with my Democratic colleagues value the Constitution over partisan politics.

Therefore, I hope for a fair and vigorous vetting process of Judge Gorsuch and his judicial record. The Supreme Court will likely make many critical decisions in the upcoming decades, affecting issues from voting rights to privacy rights to consumer protections. America needs a justice whose interpretation of the Constitution aligns with American values and the rule of law.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. ELLISON. Mr. Speaker, due to other commitments, I missed the following roll call votes:

Roll call no. 66, I would have voted yes.

Roll call no. 67, I would have voted yes.

RECOGNITION OF SAM PROLER'S 100TH BIRTHDAY

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. BRADY of Texas. Mr. Speaker, I rise today in recognition of Sam Proler's 100th birthday. The world was a different place when Sam Proler was born a century ago. The oldest of nine children, Sam was born to Ben and Rose Proler during war times. Sam started working at the age of 13 and was later joined by his brothers. Through hard work, innovation and perseverance, the Proler's achieved the American Dream—Proler Steel Corp.

What would become the country's largest scrap metal recycling operation, Proler Steel Corp, NYSE (PS), started from a meeting between Sam Proler and Henry Ford. It was that meeting that led to an idea that there could be a better way to recycle used cars.

Through research and modifying mining machines, Sam Proler did what no one else had done before—he figured out how to melt entire vehicles in mere seconds. At that time, the recycling industry could not keep pace with the numbers of discarded cars each year. His invention was a game changer that helped reinvent the steel industry, and this led to the employment of hundreds of thousands of workers in the United States at more than 35 plants.

Because of Sam Proler, used cars and appliances gained new life as recycled steel. In fact, his patented process is known around the world as "Prolerized" scrap.

Sam Proler is one of America's original, innovative recyclers long before it was popular to be environmentally conscious. His innovation helped shape an American industry and protect our environment.

When you go to sell a used car for recycling, remember the name Sam Proler. Because of him, that car will be recycled into steel in a process that saves energy, conserves our nation's natural resources and protects our environment.

We know his lovely wife Marie, daughters Nina and Joyce, grandchildren and great-grandchildren are incredibly proud of what he has accomplished in his century. As we wish Sam Proler a Happy 100th Birthday, America also says thank you to one of our nation's innovative citizens.

IN RECOGNITION OF OTTO CONSTRUCTION'S 70TH ANNIVERSARY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize Otto Construction as they celebrate their 70th Anniversary. As the community and members of Otto Construction gather today, I ask my colleagues to join me in honoring them and their long history of service to the Sacramento region and beyond.

A three generation family-owned business, Otto Construction was founded in 1947 by John F. Otto. When he opened Otto Construction, it was with the core values of honesty, integrity, and compassion. He strived to provide the best service to their customers delivering quality projects while maintaining high standards at a competitive price. When John's son, Carl Otto, joined the family business in 1971, he brought his commitment to civic duty and community involvement to the organization which helped intertwine their business and the Sacramento community to create a larger foot print. Joining the company in 2000, Allison Otto represents the third generation. Allison's focus is in the marketing department, carrying the same commitment to our community as her grandfather and father.

Otto Construction has helped build the Sacramento community, not just with the projects they have done, such as historical renovations, building community centers and hospital buildings, but with the impact they have had throughout their charitable work. Otto Construction has partnered with the Society for the Blind, Sacramento Food Bank & Family Services, Eskaton Foundation and Sacramento SPCA, with many of their employees serving on the boards of nonprofits. A few notable projects include the Powerhouse Science Center, the California Lottery Headquarters, Bonney Field, the restoration of the Julia Morgan House, and Shriner's Hospital.

Mr. Speaker, as the family and members of Otto Construction celebrate their 70 years of service to the Sacramento region and beyond, I ask all my colleagues to join me in honoring them for their dedication to their community through their business practices and charitable work that have made them so successful throughout the years.

HONORING DR. CARTER G. WOODSON

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor the legacy of Dr. Carter G. Woodson and to celebrate his legacy with all of you at Marshall University. We are proud to call Dr. Woodson one of our own in Huntington, West Virginia, and to celebrate his work to honor and remember the achievements of African Americans. During Black History Month, it is only fitting that we stop to remark on the life of the Father of African-American History.

Dr. Woodson dedicated his life to educating others, becoming one of the first African Americans to earn a doctorate in history from Harvard University. He returned to his alma mater in Huntington, Douglas High School, where he became the principal and shaped the lives of countless West Virginians. He also documented the important contributions African Americans have made to our nation's history and ensured their accomplishments were not forgotten.

The Carter G. Woodson Lyceum at Marshall University will carry on his legacy and provide Black History Month events for the Marshall and Huntington communities. I wish you well as you celebrate the life of Dr. Woodson and the contributions of African Americans during the month of February.

HONORING JOHN ELINE OF PENNSYLVANIA

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. PERRY. Mr. Speaker, today I honor my constituent, John Eline, on his upcoming retirement upon 10 years of service with Adams County Emergency Services, and for his ongoing commitment to his community.

Mr. Eline served as Adams County's Director of Emergency Services and provided calm leadership, professionalism and a strong work ethic to a wide range of challenges, including implementation of a new digital emergency radio system and preparations for the 150th Anniversary of the Battle of Gettysburg in 2013. Mr. Eline is also very active in our community, volunteering with the Gettysburg Fire Department, previously serving 12 years on Gettysburg's Borough Council and more than two decades with Gettysburg Hospital.

Mr. Eline's dedication has touched the lives of many people and challenged all with whom he served to be the best. His legacy of service to his community is admirable.

On behalf of Pennsylvania's Fourth Congressional District, I commend and congratulate John Eline upon his retirement after many years of service to Adams County and our fellow citizens.

IN MEMORY OF TYRUS WONG

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. SCHIFF. Mr. Speaker, I rise today to honor the life of celebrated artist Tyrus Wong, of Sunland, California, who passed away on December 30, 2016, at the age of 106.

Tyrus Wong, best known for his beautiful, impressionistic renderings in the Walt Disney Studio's animated film "Bambi," was born as Wong Gen Yeo in China on October 25, 1910. He and his father emigrated to the United States in 1920.

Tyrus' father taught his son calligraphy, drawing and painting, encouraging Tyrus' artistic talents. Tyrus attended junior high school in Pasadena, but left that school to attend Otis Art Institute, now Otis College of Art and Design, on a full scholarship. At Otis, Mr. Wong

studied great western artists and Chinese brush paintings, especially Song dynasty landscapes that expressed mountains, trees and fog with nominal brush strokes. He graduated from Otis and joined the Depression-era Federal Art Project, creating paintings for government buildings and other institutions. During this time period he was a featured artist at an Art Institute of Chicago exhibition that included artists such as Pablo Picasso, and was active in organizing local art exhibitions for Los Angeles' Asian artists.

In 1937, Tyrus married Ruth Ng Kim, and after the birth of their first daughter, Kay in 1938, he began working for Disney as an ''inbetweener,'' where he worked on hundreds of Mickey Mouse sketches. After learning about Disney's film ''Bambi,'' which was in pre-production, he created watercolors and drawings of a deer in a forest, and those tiny, evocative renderings became the basis for the film's visual style and he became the film's lead artist. In 1941, after a Disney animators' strike, Mr. Wong went to work at Warner Brothers Studios as a film production illustrator and sketch artist, where he drew set designs and storyboards for movies such as ''Sands of Iwo Jima,'' ''Rebel Without a Cause'' and ''Auntie Mame.'' Tyrus retired from Warner Bros. in 1968, but continued to work as an artist, creating greeting cards for Hallmark Cards, working as a ceramicist, and building and designing exquisite hand-made kites.

Mr. Wong's life and work has been featured in many significant exhibitions at The Walt Disney Family Museum in San Francisco and The Museum of Chinese in America in New York City and his striking Chinese Dragon mural is prominently displayed in Chinatown. Tyrus is featured in several documentaries, including the award-winning documentary ''Tyrus,'' in which he shared his struggles with poverty, racism and adversity.

Mr. Wong is survived by his daughters: Kay Fong, Tai-Ling Wong, Kim Wong and two grandsons.

I would like to ask all Members to join me in remembering Tyrus Wong, a Disney Legend, whose innovative work inspired generations of animators, and who leaves a lasting legacy as one of the foremost artists in Los Angeles, California.

LA PATISSERIE FRANCAISE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud La Patisserie Francaise for being honored by the Arvada Chamber of Commerce as Business of the Year.

To be honored as the Business of the Year by the Arvada Chamber, businesses must have established a reputation for providing a superior level of customer service, using ingenuity and innovation to overcome challenges, and be an active participant and supporter of community activities.

La Patisserie Francaise is well known for their extraordinary leadership and heartfelt commitment to the city of Arvada. The owner, Sadie Russo, goes above and beyond in her commitment to the community through her donations to local organizations as well as serving as an advocate for the City of Arvada.

I extend my deepest congratulations to La Patisserie Francaise for this well-deserved recognition by the Arvada Chamber of Commerce.

TO HONOR THE IMPERIAL COURT DE FORT WORTH/ARLINGTON

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. VEASEY. Mr. Speaker, I rise today to honor the Imperial Court de Fort Worth/Arlington (ICFWA) in celebration of its 37 years of service to the LGBTQ community in the 33rd Congressional District of Texas.

In 1979, thirty founding members established the Fort Worth/Arlington chapter of the International Court System—one of the oldest and largest LGBTQ organizations in the world. ICFWA is a social-community service organization that sponsors fundraisers for charities in the community, advocates on behalf of the LGBTQ community, and provides a social support system for members of the LGBTQ community.

The ICFWA has given to a number of organizations throughout its decades of service to Fort Worth and Arlington. ICFWA fundraisers have benefitted the Samaritan House, Cancer Care Services, Health Services of North Texas, Meals on Wheels, and the Aids Outreach Center. Throughout 2015 and 2016, the ICFWA gave over $21,000 to various causes and charities.

The LGBTQ community has experienced discrimination at their places of employment and in general society. Due to the work of LGBTQ advocacy groups, such as the ICFWA, progress has been made to ensure that Americans of any sexual orientation are not treated differently under the law, have equal access to healthcare services, and that their rights are well protected.

Members of the ICFWA have fiercely served the LGBTQ community by addressing the needs of those suffering from HIV/AIDS. The ICFWA helped form the Treehouse Commission, which is still active today, during the peak of the HIV/AIDS crisis to foster coordination among organizations aiding those affected by HIV/AIDS.

Several ICFWA members sat on the founding committee of the Samaritan House, a home for persons with HIV/AIDS, in 1991. When the local AIDS Outreach Center lost grant funding, the ICFWA took on the responsibility of funding the food pantry so that clients would not go hungry.

The ICFWA will honor the work of all of its members in March at its XXXVIII annual coronation in Fort Worth, Texas as the Court chooses a new Emperor and Empress.

I honor the Imperial Court de Fort Worth and Arlington's ceaseless support and fearless advocacy for the LGBTQ community.

INTRODUCTION OF THE STREAMLINED AND IMPROVED METHODS AT POLLING LOCATIONS AND EARLY VOTING ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. COHEN. Mr. Speaker, I rise today in support of the Streamlined and Improved Methods at Polling Locations and Early Voting Act, also known as the ''SIMPLE'' Voting Act for short. I introduced this bill earlier today.

This is a scary time for voting rights. We are witnessing an assault on voting rights the likes of which our nation has not seen since the passage of the Voting Rights Act in 1965. The President is alleging, without evidence, that there is widespread voter fraud in our country.

We know where this is heading. It is just the latest attempt to turn back the clock on voting rights since the Supreme Court overturned a key portion of the Voting Rights Act in 2013.

In the name of protecting Americans from supposed in-person voter fraud, a fraud that is virtually non-existent, States have been enacting voter ID laws. The real reason for these laws, however, has been anything but election integrity. It has been about partisan politics and discrimination.

But don't take my word for it. Take the words of legislators like the then-Pennsylvania House Majority Leader who boasted in 2012 that the state's newly enacted voter ID law would allow Mitt Romney to win his state. While speaking about his legislature's accomplishments, he said, ''Voter ID, which is going to allow Governor Romney to win the state of Pennsylvania: done.''

Or take the more recent comments of a freshman Republican Wisconsin state representative last year who, while being interviewed about the 2016 election, said, ''And now we have photo ID, and I think photo ID is going to make a little bit of a difference as well.''

Or take the word of the U.S. Court of Appeals for the 4th Circuit which said that new provisions of a voter ID law in North Carolina, ''target African Americans with almost surgical precision[.]'' According to the court, the law imposed cures for problems that did not exist, and ''Thus the asserted justifications cannot and do not conceal the State's true motivation.''

The right to vote is the cornerstone of our democracy. It is sacred. Yet, sadly, we have an ugly history in this nation of efforts to limit people's ability to access this constitutional right.

We need to make it easier for people to vote, not harder, and that is why I have introduced this bill today.

If enacted, the SIMPLE Voting Act would require states to allow early voting for federal elections for at least two weeks prior to election day, and to the greatest extent possible ensure that polling locations are within walking distance of a stop on a public transportation route.

It would also require that sufficient voting systems, poll workers and other election resources are provided, that wait times are fair and equitable for all voters across a state, and that no one be required to wait longer than one hour to cast a ballot at a polling place.

None of this should be controversial. This is all common sense, or at least should be, to those who want to help more Americans to vote.

I urge my colleagues to pass this bill.

RECOGNIZING AND HONORING EDDIE MANFORD BUFFALOE, SR. ON THE OCCASION OF HIS RETIREMENT FROM LAW ENFORCEMENT

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. BUTTERFIELD. Mr. Speaker, I rise to honor and recognize my constituent and friend, Officer Eddie Manford Buffaloe, Sr. as he retires from seventeen years of honorable service as a courtroom bailiff for District and Superior Courts in Northampton County, North Carolina. The past seventeen years as a courtroom bailiff is but a part of a long and storied career in law enforcement that spanned more than half a century.

Officer Buffaloe was born in Northampton County in Gumberry, North Carolina on June 3, 1931. He was one of ten children born to the former Geneva Brooks and Eddie Bruce Buffaloe. He attended Northampton County Training School in Garysburg, North Carolina which was recognized as a ''Christian Institution for Negro Youths of Both Sexes.'' Following graduation, on December 5, 1951 at age 20, Eddie Buffaloe enlisted in the United States Army.

He served on active duty for two years before transferring to the Army Reserve where he served an additional five years. After nearly seven years of military service, Eddie received an Honorable Discharge and returned to his Northampton County home.

It was in 1961 that Eddie's law enforcement career commenced when he volunteered as a Special Deputy with the Northampton County Sheriff's Department where he worked the night shift. In 1965, Officer Buffaloe became a full time Deputy Sheriff with the Northampton County Sheriff's Department. His love of law enforcement compelled him to learn everything he could about his work.

Officer Buffaloe participated in and completed significant training at the Northampton County Law Enforcement Officers Training School, United States Treasury Department's Alcohol, Tobacco and Firearms division; Roanoke-Chowan Training Center; and the University of North Carolina at Chapel Hill.

In 1991 at the age of 70 and after sixteen years with the Northampton County Sheriff's Department, Officer Buffaloe was appointed Chief of Police for the town of Rich Square. He honorably and faithfully protected the residents of Rich Square and led his department for eight years. During his service as Police Chief, in June of 1996, Chief Buffaloe was tragically shot by a citizen during a domestic dispute but he recovered and continued serving the people of that community until his retirement in 1999. Always driven to serve others, he embarked on yet another career in public service by serving as a courtroom bailiff for District and Superior Courts in Northampton County.

From 1999 until 2016—17 years—Officer Eddie Buffaloe kept the peace when court was in session. He served as a bailiff under three different elected Sheriffs and is now ready to enjoy his hard earned retirement.

At every step along his storied life, Police Chief Eddie Buffaloe, Sr. was accompanied by his wife the former Ruth Langford. The two were married on January 4, 1959 and just recently celebrated their 58th wedding anniversary. Together, they had three sons—Anthony, Deon, and Eddie Jr. who followed in his father's footsteps in law enforcement and now serves as Chief of Police in Elizabeth City, North Carolina.

Mr. Speaker, Chief Eddie Manford Buffaloe, Sr. has dedicated his entire adult life to public service. I ask my colleagues to join me in recognizing the dedication and selflessness displayed by Chief Buffaloe over a more than 70 years first as a soldier, then as a volunteer Special Deputy, Deputy Sheriff, Police Chief, and finally as a courtroom bailiff. While Chief Buffaloe is deserving of far greater accolades from a grateful public, my colleagues in the United States House of Representatives join me in expressing our sincere appreciation for Chief Buffaloe's hard work and sacrifice.

RECOGNIZING FAMILIES IMPACTED BY THE NATIONAL OPIOID EPIDEMIC

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to include in the RECORD the personal stories of families from across the country that have been impacted by the opioid and heroin epidemic. In the U.S. we lose 129 lives per day to opioid and heroin overdose. In my home state of New Hampshire I have learned so many heartbreaking stories of great people and families who have suffered from the effects of substance use disorder.

Earlier this year, my colleagues and I were joined by many of these courageous families who came to Washington to share their stories with Members of Congress and push for action that will prevent overdoses and save lives. Since then, we passed both the Comprehensive Addiction and Recovery Act and the 21st Century Cures Act to provide much needed funding and critical policy changes to fight this epidemic.

The advocacy of these families truly is so important to leading change in Washington and I am proud to preserve their stories.

ZACHARY ''ZACH'' LEN—BRIDGEWATER, NEW JERSEY

Zach was born on April 20, 1989. He grew up in the ice rink—he started skating at four and never stopped. Zach had a way about him, always smiling and laughing. He was always quiet and shy at first but once he was comfortable he would open up. When Zach went to college, he started to dabble with prescription pills. Zach did a great job hiding his addiction from the world. Eventually, it became clear that he had a problem, and that it was out of control. That is when the cycle of detox and enrollment in treatment centers began. This vicious cycle would take place every couple of months; Zach would be sober for some time, relapse, then start the cycle all over again.

Zach and his sister's relationship became very rocky during the three years prior to his death. She could read Zach like a book and he knew that. When Zach would use he would stay as far away from his sister as possible and, when he was sober, it was like learning to love a new person. ''I couldn't stand being around him when he was using,'' writes his sister. ''He was nasty and argumentative. I would have done anything in my power to take this burden away from Zach, but he was the only one who had the power to change and overcome his struggles. And he tried. He tried so hard.''

Zach touched many lives with his strength, determination, courage, and compassion. Zach was an amazing chef, and was able to make anyone laugh. He loved his friends more than anything else and would do anything for them. Everyone wanted the same thing for Zach: they wanted him to be happy and sober, but most of all they wanted Zach to stay alive. Zach was a free spirit and wasn't afraid to be who he was. He loved going to shows with his friends, and supporting their bands. He would even make them continue to jam when everyone else was done. Zach would dance this dorky silly dance, smile, and enjoy life. He never seemed to worry about what the next day would bring.

But things are not always as they seem. Zach was ashamed of his addiction; he kept it very private and vary rarely would ask for help—he wanted to keep his closest friends out of that part of his life.

''It will be three years on January 28, 2017, and the pain doesn't seem to ever go away,'' writes his sister. ''All of us—me, my parents, and Zach's friends are still learning to live this 'new normal' life, a life without Zach.''

''On that cold Tuesday, we lost a son, a grandson, a brother, a nephew, a cousin, a best friend. I will never get to go to a New York Ranger game like we always talked about, or a Dave Matthews concert. So many things we had always talked about, that now I will experience by myself for the both of us.''

''I'm so thankful for all the times we shared and all of the memories we made as kids and as adults. I will treasure them always. They are frozen in time in my mind. Images of Zach at happier times is the way I want to remember him. They say a picture is worth a thousand words, and I couldn't agree more.''

DANIEL AARON LUCEWICH—PERTH AMBOY, NEW JERSEY

Daniel was considered the Golden Boy in his family. He had a high IQ and was loved by all of his teachers. Growing up, Daniel worked for his aunt and uncle at the family restaurant, Peter Pank; he was often referred to as the ''Prince of the Pank.''

Daniel cherished the holidays and everything they were about—especially how it brought his extended family together. During the holidays, Daniel would put up all the outdoor decorations—his family even won a place in our township's holiday decorating contests for several years. From the age of ten, Daniel was well known within his family for being extremely skilled at assembling anything; he could put things together without the instructions.

Daniel loved surfing. He and his friends would surf off the inlet near Point Pleasant. He also enjoyed bowling and golfing with his uncle and hanging with his cousins playing cards. However, Daniel's most passionate hobby was buying cars and fixing them up.

Daniel was always there for his friends. He was the person they called when they needed a hand moving, painting an apartment, or even changing a flat tire at three in the morning. Daniel truly had a heart of gold. He lit up a room just by walking into one. Daniel loved his two sisters Fallon and Katie and his older brother Christopher.

His entire family loves and misses him dearly.

ALEXANDER ''ALEX'' JOSEPH MARKS—HUNTINGTON BEACH, CALIFORNIA

The final death certificate from the Orange County Coroner arrived in the Marks family mailbox: ''Cause of death: acute heroin intoxication.'' On February 6th, 2013, Alex's father found their 19-year-old son, Alexander Joseph Marks, dead in his bedroom at their home in Huntington Beach, California. His family found a needle and heroin on Alex's desk. They couldn't believe that Alex had turned to heroin and were devastated to learn this was the way their son had died.

As you can imagine, the Marks family are having a difficult time. The wound is so deep, so raw; they thought he had overcome his addiction. Alex was working over college break before he was to go back to school to become an electrician. Externally, it looked like he was doing well, but now his family understands that internally, he was sick with the disease of addiction. There was no note . . . Alex's family learned later that he had accidentally overdosed because after so many months of being clean, his tolerance was low.

During elementary and junior high school Alex was bullied. He had two rare medical conditions; Osteochondromatosis (a rare bone disease) and Von Willebrand (a blood clotting disease), in addition to mental health issues. At a young age, he had experiences that no kid should; many surgeries after which he was prescribed pain medications, countless doctor visits, and home health care nurses who administered IV medication. He was diagnosed with ADHD around the 5th grade.

Alex's Grandma died during his freshman year of high school. She had been the rock in his life and he had a hard time living without her. He began self-medicating with pot and alcohol to cover his grief, which eventually led to him using pills and other drugs. Meanwhile, he was having a rough time trying to fit in socially and many of his friends were also using drugs. Alex was not involved in school activities, no matter how many times his family encouraged him.

When his addiction progressed, Alex was admitted to the University of California, Irvine as well as Loma Linda Medical Center psychiatric hospital. Upon release, he attended a local treatment program and was expected to return to high school after 30 days. His family sought help from many medical professionals and was diagnosed with depression and bipolar disorder. When nothing seemed to be helping, Alex was sent to Heritage Residential Treatment Center in Provo, Utah, where he spent 8 months in a dual diagnosis treatment center. He came home and graduated high school but within a few months he was hanging out with old friends and local's he'd met in treatment. In December 2011, at the age of 18, Alex was arrested and charged with a felony for receiving stolen property with the intent to sell. He was sent to jail for 7 months.

Alex followed the path of many before him; he was stealing for drug money—opioids. He ended up with 3 years' probation with the stipulation that if he completed all that was required, the felony would be removed from his record. These tough learning experiences made him realize that he never wanted to go back to jail. He wanted his freedom—he wanted his life back.

On July 5, 2012, Alex was released from jail at 3 a.m. (without guidance or supervision—something his family will never understand). Although he was overwhelmed by the court fees and classes he had to take, Alex was determined to succeed. Once again he was a joy to be around and his family believed that the worst was over. He started an electrician training program at Long Beach City College and never missed a day the entire semester.

On Tuesday, February 5, 2013, two young adults came to the house; his family believes Alex may have met these ''friends'' at his court ordered drug classes. They also believed Alex purchased heroin that day, from these ''friends''. Alex returned home from meeting with his probation officer around 7:30 p.m., had some soup, watched the Lakers game with his dad, said ''Goodnight, I love you,'' and then went to his room. At approximately 5:30 a.m. on February 6, 2013, his father found Alex dead in his room. The corner report stated he had died around midnight.

''I'm sure this story is all too similar to many you've heard or read before from other families who have been through this nightmare,'' writes Alex's mother. ''These past 4½ years have been the most difficult of our lives.''

''One of the most frustrating parts of this journey, was how hard it was to get good help for Alex. I prayed each and every day for God to shine his light upon my son; to bring the right people into his life. He needed someone other than his parents to help him but this did not happen.''

''As you can imagine, writing this is very difficult, but we must not stay silent. We must speak out in order to make the changes that are needed both for mental health and addiction treatment in this country.''

SEAN MCLARTY—AUSTELL, GEORGIA

Sean McLarty was born on July 11, 1980, in Lithia Springs, Georgia. Growing up, he was a very happy and loving child and he carried those qualities into adulthood. Sean was always an absolute joy to be around. He had a knack for making people smile; the room would light up whenever he entered. He had two children, Caleb and Mina, who were the loves of his life.

Sean always had an aspiration for acting and went on to be featured in several films and TV shows. He had a small role in one of Tyler Perry's House of Payne episodes; played a mute crook in a movie called Three Rookies; was in the youtube series Fighting Angels; and had roles in various short films. Sean was also exceptional at repairing computers and electronics—if it was broken, he could fix it.

Prior to his unexpected death, Sean wanted to start an organization that he would name ''Families Against Drugs,'' to help families affected by addiction, and let them know they are not alone in this fight. He had a huge vision for this organization. However, Sean could not seem to help himself.

On March 28, 2011, Sean was found dead in a motel room just south of Atlanta, Georgia. The autopsy report determined the cause of death to be from the toxic effects of Methamphetamine. However, even the police officer in charge of his case, didn't believe there was enough meth in Sean's system to cause death.

After speaking to someone close to him, Sean's family found out that he had been in possession of a drug called 1,4–Butanediol, which is comparable to the drug ''gamma-Hydroxybutyric acid'' (GHB); and acts as a stimulant and aphrodisiac, enhancing euphoria. This drug is what is believed to have killed Sean. 1,4–Butanediol is odorless, colorless, and extremely difficult to detect in toxicology screening.

Sean was never a regular drug user, he used more casually. When Sean died from an overdose, it seemed unreal that it would happen to someone like him, with so much potential and life left to live.

AMBER MERSING—PITTSBURGH, PENNSYLVANIA

''Thinking about Amber's story and how to share it with 144aDay was difficult,'' writes Amber's Uncle Lou. ''I am sure you all understand the emotions involved in putting this together. As I thought, I recalled Amber's funeral service in Pittsburgh, PA. Her grandfather and her cousin (my daughter) both spoke wonderful words during the service and I felt this would be the best way to share Amber's story.''

''Below is what my daughter Gianna (12 years old) wrote. She stood and delivered this to everyone at Amber's funeral service. Savannah (Gianna's sister/Amber's cousin) stood up at the podium to read a scripture with her Aunt Nina (Amber's Mom). I am so proud of all of them.''

Hello,

Amber was like a sister to me. We had so much fun together from gymnastics competitions to dancing. I loved her so much. I loved how we were close cousins. And I will always remember all the fun we had. I am gonna miss her alot. I want for everyone in this room to remember that she is looking down at us. One more thing—in heaven she is with Blaze. She used to dress up with him and get their picture taken.

Amber's grandfather delivered a beautiful eulogy after Gianna spoke, here is what he said:

Where do I begin? I feel like a bird with a broken wing. God only allowed us to have Amber for a short period of time but during that time she touched many lives and left us with a lot of memories. To me, she was both a child and a grandchild; the two could never be separated. She brought the joy of a grandchild and the anxiety of a child all at one time. Amber came into my life as a toddler and those good memories will remain with me forever.

I thank God for putting Amber in my life and I am thankful that I got to see her grow from a helpless little girl into a beautiful young lady. Amber was a big part of my life for the last twenty plus years. I was blessed to have known her for most of her time on Earth. I'm sure that Amber has left all of you with a lot of good memories and I hope that you share those memories with me and with each other some time.

Amber liked being the center of attention when she was in her comfort zone, but would hide when that comfort zone began to collapse. She dreamed of singing in front of a large audience when it was just a couple of us. But when the couple of us became a few of us, she would go into hibernation. She was both shy and outgoing and could switch from one to the other and back again in the blink of an eye.

Her creativity was endless. She and Grandma could turn scraps of anything into works of art. Amber had an interest in everything from acrobatics to woodworking and all things in between. Amber gave me those hand-made treasures with such pride and I still have many of them.

Amber also had that gentle side. She seldom raised her voice and was uncomfortable when others did so in anger. She was a caretaker at heart, which showed when she worked at Norbert's. Amber was the oldest of our grandkids, so she loved playing with and helping her younger cousins. She learned patience from her Grandma and passed some of that on to me. I loved those hugs when we parted company.

Amber could light up any room she entered even as she struggled with depression—she so wanted to be happy. She handled the depression in the best way that she could. I watched her go through those ups and downs so many times. When she thought she had a plan to regain control of her life, she would get slapped down again and would not be capable of following through with her plan. After seeing Amber's struggle, I thanked God that I have never personally experienced

those ups and downs. I also thank God that it is not my place to judge her if she felt that she was doing her best. Jesus said, ''Judge not, and you will not be judged, condemn not, and you will not be condemned, forgive, and you will be forgiven.'' (Luke 6:37) Because one's behavior toward others often ends up being paid back in kind—and sometimes even to a greater degree—Jesus continued to urge His disciples to be tolerant. In particular, Jesus prohibits condemning others and commends forgiveness.

I remember Amber as that little girl who would run and jump on my lap in happiness and run to me when she was afraid. There were the play-in-the-dirt clothes and pretty girl dresses; dance lessons, softball games, and taekwondo; pierced ears, nose, lip, etc; curly hair, braided hair, and straight hair; tennis shoes and high heels; Disney movies and The Nightmare Before Christmas; school and church; and so on and so on and so on. Pick any of them or add your own. Some of them I didn't like at the time but I'm going to miss every single one. I have a lot of memories and no one can take them away. Amber has been immortalized in my heart and those memories will remain. I'm sure all of you have fond memories of Amber that you will hold on to.

Amber believed in God and I believe that Jesus has welcomed her into Heaven where she will spend eternity. Amber no longer has to deal with the pain associated with mortality. I have faith that I will see her again and that she will be there to welcome me into eternity. I will miss her dearly but I can now think of her as an angel that is looking over me and she will look out for me when I need help. I love you Amber and I always will.

TRENTON MUNN—IONIA, MICHIGAN

Trenton Munn, died August 21, 2016, from an accidental heroin overdose. He was 31 years old.

Trenton suffered from drug addiction since his late teen years. He fast became addicted to Oxycontin, and when that became hard to come by, he turned to heroin. It was a cheaper, easier to find alternative.

When his son, Harley was born in May 2012, Trenton tried to quit cold turkey. He wanted to get clean for his son. Trenton also suffered from anxiety and depression. During the past four years Trenton tried repeatedly to get off heroin.

This past March his family discovered that Trenton had advanced to shooting up heroin. Even though he had said he would not stick a needle in his veins.

After many failed attempts in treatment, with everyone telling us we had to do tough love, we decided to remove Trenton from our home. It broke his familys hearts having to put their child out on the streets.

Trenton was then taken in by a friend. The friend promised he didn't condone heroin and there'd be none of it in his home.

Throughout this past summer, Trenton would come to his family's home for his parental visits with his son. Since his son's mother had gotten in trouble with the law, Trenton was given full custody of Harley. Trenton also had just began a new job, was looking healthier and had gained some weight. His family thought he was kicking his addiction. Things were looking up.

Due to Trenton not having a car, his parents were driving him to and from work. The last day they saw their son was Saturday, August 20, 2016. They picked him up from work at 4:00 p.m., as usual. Nothing really seemed out of the ordinary, other than Trenton not asking what his mother was making for supper. He normally would come have dinner with his family.

When his parents arrived at the friend's house where Trenton was living, he told them he'd see them in the morning and that he loved them. He didn't text or call them that evening.

The dreaded call came at 4:21 a.m. from the friend Trenton was living with. The friend began with: ''I think you need to come out here!'' Trenton's mother asked him what was wrong and he replied, ''I think Trent's overdosing!'' His mother hung up the phone immediately, jumped out of bed screaming. They got into their car and drove as fast as they could.

They arrived at the friend's home in a matter of minutes. The police and the ambulance were already there. They were met by an officer on the porch of the house. It was too late. Trenton was dead.

The authorities believe Trenton received what they call a ''hot load'': heroin laced with fentanyl.

That same weekend, over 75 overdoses were reported in Ohio. The heroin was laced with elephant tranquilizers.

''This has been the worse pain we ever felt,'' writes Trenton's mother. ''Nothing or no one can ever bring our son back. Our grandson is going to grow up without his father.''

JEFFERSON CENTER FOR MENTAL HEALTH

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud the Jefferson Center for Mental Health for being honored by the Arvada Chamber of Commerce as the Non-Profit of the Year.

To be honored as the Non-Profit of the Year by the Arvada Chamber, a non-profit must show how they support Arvada through their programs, services and involvement. These non-profits are known for their ingenuity and innovation to overcome challenges as well as their active and effective work with the local business community.

The Jefferson Center for Mental Health is one of these non-profits. As a community mental health center that looks to inspire hope and improve the lives of the members of their community, their incredible work and innovative approach has helped to serve those in our community who often have nowhere else to turn. In addition to receiving this recognition, Jefferson Center for Mental Health has also been named a Top Workplace for four straight years by the Denver Post.

I extend my deepest congratulations to the Jefferson Center for Mental Health for this well-deserved recognition by the Arvada Chamber of Commerce.

RECOGNIZING BLACK HISTORY MONTH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great respect that I rise today to celebrate Black History Month and its 2017 theme—The Crisis in Black Education. This year's theme reflects on the crucial role of education in the past, present, and future of the African American community. As Americans, we come together to commend the many educators, writers, and mentors who have worked so diligently to improve educational opportunities for African American students throughout the country, but we must acknowledge that there is still much more progress to be made.

Throughout American history, the unfortunate reality is that there have been racial barriers to equal education. The crisis in black education began during the era of slavery when it was against the law for slaves to learn how to read and write. Before the Civil War, free blacks in northern cities had to walk long distances to attend the one school regulated solely for African American students, while this limitation did not exist for white children. By 1910, segregation was established throughout the south. African American schools were of lower quality and received less government funding per student than in white schools. During the Civil Rights Movement, significant steps toward positive change were made, including the Supreme Court case of Brown vs. Board of Education, which outlawed segregated school facilities for black and white students at the state level. The Civil Rights Act of 1964 ended state and local laws requiring segregation.

Today, many African American youth remain exposed to public school systems where resources are limited, overcrowding occurs, and a glaring racial achievement gap is evident, especially in urban areas. As Americans, we must continue to work together to resolve the crisis in black education as it is, without a doubt, one of the most critical issues facing our communities.

This month and always, it is important that we honor and celebrate America's greatest advocates for equal rights and civil liberties. Along with this month's theme, we honor those who have fought for equal educational opportunities for African Americans, including Booker T. Washington, W.E.B. Du Bois, Cornell West, Maxine Smith, Carlotta Walls LaNier, Joe Lewis Clark, Fannie Jackson Coppin, and Alexander Crummell, among many others. As we pay tribute to these heroes of American history, let us remember their profound perseverance, sacrifice, and struggle in the fight for freedom and equality, and the remarkable impact their contributions have had in shaping our great nation.

Mr. Speaker, I ask that you and my distinguished colleagues join me in celebrating Black History Month and honoring those who fought, and continue to fight, for civil rights and justice. We honor the African American educators, scholars, and supporters of educational equality, who have played such a critical role in changing the landscape of American society for the better. As we reflect on the state of black education, let us never forget the struggle of our predecessors while remembering that there is still much work to be done.

HONORING THE SERVICE OF WIN AND POLLY BELANGER

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize Win and Polly Belanger

of Willsboro, New York, for their consistent and enduring dedication to community service.

After retiring from the United States Air Force in 1988, Win Belanger moved to Willsboro, New York, with his wife Polly, where they have worked for the betterment of their community by lending both their ears and their voice.

By urging individuals in Essex County to become more involved in their government and enter into public service, the Belangers have helped to encourage authentic and sincere representation. Additionally, Win has shown a steadfast commitment to the wellbeing of his peers through his work on the Willsboro Central School budget committee, the town zoning board and as a founding member and officer of the Willsboro Community Housing Assistance Task Force.

On behalf of Essex County, I would like to thank Win and Polly for their service, their patriotism and their friendship, while also wishing them the best of luck in their future endeavors.

MEGAN VILLANUEVA SELECTED TO REPRESENT TEXAS AT CONGRESS OF FUTURE MEDICAL LEADERS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Megan Villanueva of Katy, TX, for being chosen to represent Texas as a Delegate at the Congress of Future Medical Leaders by the National Academy of Future Physicians and Medical Scientists.

The Congress of Future of Medical Leaders is an honors program for high school students who plan to become physicians or go into medical research fields. Students must be nominated by their teachers, have a minimum 3.5 GPA, proven desire to enter the medical field, and inspire and motivate their peers. Multi-talented Megan has also received awards and has been acknowledged for her artistic skills. In junior high school, she also won the gold medal at the Houston Livestock Show and Rodeo School Art Program competition.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Megan Villanueva for being selected to represent Texas at the Congress of Future Medical Leaders. We wish her luck and look forward to seeing her future success in the medical field.

RECOGNIZING DIANA FOOD'S INVESTMENT IN BANKS COUNTY, GEORGIA

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to announce the exciting economic investment Diana Food, a global provider of natural ingredients to the food and beverage industries, has made in Banks County, Georgia. Georgia has previously been recognized as one of the best states for business, and Diana Food's decision to establish a facility in Northeast Georgia is a testament to the strong workforce and economic promise that Georgia provides.

Diana Food provides innovative, sustainable ingredients for the food industry, and the company's new $50 million facility will provide more than 80 new jobs to the heart of the Ninth District of Georgia, invigorating the local economy and showcasing Georgia as a premier state in which to do business. I grew up and raised a family just a county line over from Banks County, and can attest to the vigor of the local economy; Diana Food made the right choice. This decision is a win for Banks County, for the state of Georgia, and, most importantly, for the people who call our corner of the Peach State home.

Mr. Speaker, I am honored to congratulate Banks County on its economic drive and Diana Food on their decision to expand operations to Georgia. I am looking forward to seeing the positive community impact this investment will have on Banks County, Northeast Georgia, and the future of Georgia business.

PERSONAL EXPLANATION

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. RUTHERFORD. Mr. Speaker, I was unavoidably detained and I missed the following roll call votes. Had I been present, I would have voted:

YEA on Roll Call 36
NAY on Roll Call 37
NAY on Roll Call 38
NAY on Roll Call 39
NAY on Roll Call 40
NAY on Roll Call 41
NAY on Roll Call 42
NAY on Roll Call 43
NAY on Roll Call 44
YEA on Roll Call 45
NAY on Roll Call 46
NAY on Roll Call 47
NAY on Roll Call 48
NAY on Roll Call 49
NAY on Roll Call 50
YEA on Roll Call 51
NAY on Roll Call 52
NAY on Roll Call 53
YEA on Roll Call 54
YEA on Roll Call 55
YEA on Roll Call 56
NAY on Roll Call 57
YEA on Roll Call 58
YEA on Roll Call 59

AWARDING THE CONGRESSIONAL GOLD MEDAL TO HUMANITARIAN AND SPORTING LEGEND MUHAMMAD ALI

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. CARSON of Indiana. Mr. Speaker, as we begin Black History Month, I am proud to reintroduce legislation to award the Congressional Gold Medal to Muhammad Ali in recognition of his contributions to our nation. I believe it is long past time to recognize an American civil rights activist and sporting legend with Congress' highest honor. Unfortunately, Congress failed to act before The Champ's death last summer, at the age 74, so I ask my colleagues to join me now in honoring an American hero. Over the course of his illustrious career, Muhammad Ali produced some of our nation's most lasting sports memories. From winning a Gold Medal at the 1960 Summer Olympics, to lighting the Olympic torch at the 1996 Summer Olympics, his influence as an athlete and a humanitarian spanned over fifty years.

Despite having been diagnosed with Parkinson's disease in the 1980s, Ali devoted his life to charitable organizations. Ali, and his wife Lonnie, were founding directors of the Muhammad Ali Parkinson Center and Movement Disorders Clinic in Phoenix, AZ and helped raise over $50 million for Parkinson's research. In addition to helping families cope with illness, Ali led efforts to provide meals for the hungry and helped countless organizations such as the Make-A-Wish-Foundation and the Special Olympics.

Muhammad Ali's humanitarian efforts went beyond his charitable activities in the United States. In 1990 Muhammad Ali traveled to the Middle East to seek the release of American and British hostages that were being held as human shields in the first Gulf War. After his intervention, 15 hostages were freed. Thanks to his devotion to diplomatic causes and racial harmony, Ali was the recipient of many accolades, including being chosen as a ''U.N. Messenger of Peace'' in 1998 and receiving the Presidential Medal of Freedom in 2005 from President Bush.

Through his unyielding dedication to his sport and to struggling populations around the world, Muhammad Ali still serves an example of service and self-sacrifice for generations of Americans. The Congressional Gold Medal is a fitting commemoration of his life and work, for which he is deservingly known as ''the Greatest.''

Mr. Speaker, I hope my colleagues will join me in recognizing one of our nation's most lasting and influential figures by signing on to this important legislation.

RECOGNIZING FAMILIES IMPACTED BY THE NATIONAL OPIOID EPIDEMIC

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to include in the Record the personal stories of families from across the country that have been impacted by the opioid and heroin epidemic. In the U.S. we lose 129 lives per day to opioid and heroin overdose. In my home state of New Hampshire I have learned so many heartbreaking stories of great people and families who have suffered from the effects of substance use disorder.

Earlier this year, my colleagues and I were joined by many of these courageous families who came to Washington to share their stories

with Members of Congress and push for action that will prevent overdoses and save lives. Since then, we passed both the Comprehensive Addiction and Recovery Act and the 21st Century Cures Act to provide much needed funding and critical policy changes to fight this epidemic.

The advocacy of these families truly is so important to leading change in Washington and I am proud to preserve their stories.

VICTOR BENJAMIN SURMA—BRIDGEVILLE, PENNSYLVANIA

Victor Benjamin Surma was born July 20, 1983. He died on January 26, 2014 from a heroin overdose. Victor was an excellent athlete. At the age of 15 he fractured his spine playing football. The orthopedic surgeon prescribed oxycodone. Prior to being prescribed a narcotic, Victor did not drink or use drugs. Victor was a fly fisherman, outdoorsman, excellent mogul skier. He was a good student and he had a bright future. Victor played football at a Division I college. His third year, he quit the team.

Victor struggled with substance abuse. His parents were unaware that prescription drugs would be highly addictive because of the history of drug and alcohol abuse in both of their families. Education and prevention, especially for families with genetic predisposition to abuse is essential knowledge, beginning at the earliest age for children.

Victor had a dual major in college in business and communications. He was a successful campaign model during and after college, and an orthopedic sales representative for Smith and Nephew. Victor was awarded ''Rookie'' of the year in sales nationwide. To maintain his ability to work, Victor would drive an hour after a 10 hour day of working in the hospital to find a doctor who would give him suboxone. The effort to obtain suboxone daily exhausted Victor physically and mentally. He could only work with the daily dose of suboxone, but could not function without having a doctor closer to his home. No one could.

Victor could not stop using prescription drugs. He fought like a soldier to stop the urges to use drugs. Victor also was uninformed in thinking he was weak and was shamed because of his drug habit.

Victor went to Caron Rehab, Gateway Rehab, Wonderland Rehab, two rehab facilities in Florida, Mountainside Rehab, and the last rehab was associated with Harvard Medical Center. Admittance to emergency room care when he voluntarily required life saving intervention was denied. His parents accompanied Victor to Mercy Hospital in Pittsburgh, Pennsylvania. The blood test indicated so many drugs in Victor's system that he qualified for admittance. However, there were not enough beds. They left not knowing what to do and Victor continued using.

Victor got two DUI's and lost his license for two years within a week of being denied admittance to Mercy Hospital. He lost his lucrative job, all his accumulated money in bank accounts, his two cars, and became so desperate and ashamed he went into a downward spiral. Isolation from friends, family, and society was heart-wrenching.

Once his source of income was depleted, Victor started using heroin. At this point he qualified for methadone. His parents would drive Victor to the methadone clinic, and it was at the clinic where he made the acquaintance of a drug dealer. Victor was aware of the seriousness of drug dealing and would not participate. However, Victor had fallen so low that his parents paid a huge amount of money for him to go to a Harvard affiliated drug program.

Victor was clean for 6 months prior to his overdose. He humbled himself to work in retail, walk to work, and his parents were his only social life. At the Harvard affiliated rehab, Victor obtained a sponsor and the doctor advised Victor's parents to support his move to an apartment in New York City.

When Victor died, he was alone. The autopsy indicated a small amount of heroin and cocaine, but because he had not been using for 6 months it hit him like a freight train. The NYPD discovered his sponsor was a drug dealer from Long Island, NY. The phone records indicate the sponsor called Victor at 3 a.m. the morning of his overdose.

After his death, the community did not know what to say to his family. It was horrible for them not to have support even in light of Victor's death. Addiction was perceived as a weakness, poor parenting, not as a disease.

Victor's parents hope is to give support to other parents and families who are isolated and have a loved one suffering from substance abuse disorder. Insurance companies must step up and cover treatment. Treatment needs to be more than 28 days. If Victor's parents had known that he may have had a chance to live with this disease with the help of extended rehab, they would have done anything possible to facilitate Victor's recovery. His family looks at Victor's death as a wasted, tragic loss of a loving, intelligent, compassionate, and vital person for this world.

Victor's family misses him every second of every day. Losing a child to drug overdose is another stab in their hearts as support and compassion recognizing addiction as a disease is nil. Only through legislation, education and insurance participation can we as a society stop this fatal disease.

KELSEY SUZANNE VAUDREUIL—WELLINGTON, FLORIDA

Kelsey Suzanne was born August 25, 1991, in West Palm Beach, Florida, but lived most of her life in her hometown of Wellington. Growing up, Kelsey was a sweet, soft spoken child who made friends easily. She had two brothers, Korey and Austin, whom she loved with all of her heart. In Kelsey's pre-teen years she loved the baton and was very involved with a discipleship group from church, which strengthened her faith and wisdom in God.

At age 16, Kelsey began working at a small town movie theatre in Wellington—sadly, that is where her opiate use began. From there on, Kelsey then graduated from smoking opiates to using heroin. For seven years, off and on, Kelsey was in and out of detox clinics, treatment centers, residential facilities, hospitals, and halfway houses. Kelsey's mother was her biggest cheerleader; she loved, encouraged, and begged her to stop using and to try again. No matter how Kelsey felt her mother kept pushing her with God's love and her own.

There was probably around seven or eight times her mother allowed Kelsey to live at home, but only if she promised she'd stay clean and not use. This privilege would end if she used drugs. Sadly, after a short stint at home, Kelsey started using again. Her mother unfortunately had to ask her to leave—how that killed her to have her child leave without knowing where or who she would go to but the boundaries had to be put in place.

Kelsey had lost her father in March of 2011, which broke both her and her brothers' hearts. Kelsey's mother believe this intensified her drug use. Even though Kelsey said she was okay, she always had that big beautiful smile of hers that covered so much pain. Kelsey also miscarried her son, Mason, at four months along. This was devastating for her; the shame and guilt she carried was overwhelming.

In 2012, Kelsey was almost a year sober and living in an all-girls halfway house. There she built strong sober relationships and learned to manage her life and her addictions. She was working a full time job at a café, which she really enjoyed and the customers loved her. Her mother was so very proud and happy for her. Kelsey later left the halfway house and moved into an apartment with a friend, only to end three short months later after relapsing.

On December 17, 2014, at 6:10 a.m., Kelsey's mother received a knock on my door from a policeman, who handed her a small piece of paper and told her to call the Lantana Police Department. She truly thought to herself, ''Oh, Kelsey must have gotten into trouble.'' The detective on the other end of the phone said, ''Ma'am I'm sorry to tell you your daughter, Kelsey Suzanne Vaudreuil is deceased.'' Kelsey passed away in a motel room—how that broke her mother's heart. She'll never know what truly happened that night, but the autopsy report said it was a multiple intoxication, accidental overdose. Kelsey's little frame just couldn't handle anymore poison but in God's great Mercy, he took her home at 2:50 a.m. in that small motel room.

''Drug use has plagued my family for years,'' writes Kelsey's mother. ''Kelsey's passing has changed mine, my family's, and friend's lives forever. It's a loss that I can never truly find the right words to express other than to say it's a void in my heart that cannot be filled.''

''Addiction is a horrible disease and drugs don't care anything about you. If you are in active drug use, please reach out! Don't isolate yourself; there's no shame. Remember, YOU ARE LOVED!''

JUSTIN WOLFE—PHILADELPHIA, PENNSYLVANIA

Justin was intelligent, kind, thoughtful, loving, caring and loved life to the fullest. However, Justin's story is similar to most who have an addiction, and that is he began drinking at 15 and eventually moved on to other substances, which was learned while he was in college. Justin in his younger years played soccer, ice hockey, street hockey, lacrosse and did karate. He attended Drexel and Syracuse Universities, respectively, but mid-year was dismissed from each due to aberrant behavior. Justin saw therapists as a result of his aberrant behavior and drinking since he was 15 years old. However, they thought it was his anxiety, OCD and behavior, not realizing he had a hidden addiction. His dream was to complete college and become a successful businessman. However, the punishments, reprimands and good parenting did not halt Justin's behavior of what we later learned was a deep seated addiction.

In April of 2012, Justin approached his mother and admitted that he was addicted to Percocet and Oxycontin. She took him to their family physician and during the appointment, Justin asked the doctor not to tell me about his issues, claiming that the news would ''kill me.'' The physician told his mother to take Justin to a crisis center immediately for treatment, but Justin convinced her, without the doctor's knowledge, to take him to a suboxone doctor that he had found instead.

Two months later his father was finally informed, against Justin's wishes, about his addiction to Percocets. He demanded that Justin go to an inpatient rehab but he said as a 21 year old he could make his own decision; he didn't want to go to an inpatient facility for fear of being exposed to more dangerous drugs, such as heroin and crack cocaine. Unbeknownst to us, he had been using heroin for quite some time at that point. Eventually, he agreed to participate in an outpatient treatment program for the summer and began weekly psychiatric visits.

While he was in the program Justin's father contacted the intake director to inquire about his progress. He was informed that they could not disclose any information under HIPAA regulations. The following September Justin attended Temple University as a sophomore and joined a wonderful fraternity AEPI. He continued to see a psychiatrist and things seemed to be going well, which made his passing on December 19th, 2012, all the more shocking to his family.

Justin's father explained Justin's history of substance abuse to the psychiatrist who tried to counsel him and monitor his prescriptions for depression, anxiety, and OCD. After Justin passed away his father learned that he hadn't disclosed his heroin addiction—except to say that he had tried it once.

Throughout Justin's time in college, he made friends who had also been in and out rehab, including one boy who was attending pharmacy school, a local judge's son who worked for a Governor, and an attorney's son. These examples demonstrate how addiction is indiscriminate—its devastation reaches all ethnicities and socioeconomic backgrounds. When his family found out that Justin had passed away from an overdose of heroin, the entire family was shocked. Only upon further investigation did his father learn that heroin is rampant in our communities—killing our children and destroying the lives of their families.

''We, as a society, need to advance education in schools at every grade level regarding the dangers of abusing opiates and the slim recovery rates of those who become addicted,'' writes Justin's father.

''It seems as though no one speaks about their family's struggle with addiction due to embarrassment or shame. However, within two months of my son's death, I spoke to well over 25 parents who came forward with stories similar to mine—several stints of rehab— only to lose their child to an overdose. Many families I have spoken to could no longer afford the high costs of treatment; their insurance would only cover a limited period of rehabilitation.''

Justin was not violent and would never intentionally hurt a soul, but his addiction hurt and endangered the lives of those close to him, including his younger brother. I thank God that Justin never hurt anyone on the road. I have pictures of his apartment that demonstrate how he was living at college; there were cigarette burns on his bedding from all of the times he nodded out.

No one could save Justin—not his family, friends, nor Justin himself, but it is his father's hope that with much needed change, Justin's tragedy and his advocacy can help to save millions of young lives. Since Justin's passing, his father has spoken to close to a thousand parents and children regarding opiate and heroin abuse in order to bring awareness, education and prevention amongst our communities. If there is one pertinent fact that he can bring to the forefront, that is for every parent to have a Power of Attorney, a Medical Directive for their 18 year old so they are made aware of their symptoms, medical condition and are apprised of every step throughout their young adult's care.

BRADLEY MICHAEL ZULICK—BUTLER, PENNSYLVANIA

Bradley Michael Zulick was born August 21, 1986, in Butler, Pennsylvania. As a child, he always made his family laugh and brought joy and laughter to everyone lucky enough to know him. His friends and family describe him as funny, thoughtful, and a polite young man. He was loving, kind-hearted and was a spirit lifter, with a contagious personality and smile. Brad was also a fantastic athlete, a great friend, and everyone's best friend. He was truly one of a kind. Brad loved everyone, and everyone loved him. His family meant the world to him. Brad also enjoyed spending time with his friends' children.

Throughout Brad's short life, one of his biggest interests was sports—whether he was participating or simply watching, he was always engaged. In high school, he excelled at football, basketball, and track, and also enjoyed playing golf. Even when he was older he still participated in small-sided football games, church basketball leagues, dek hockey, and baseball games. No one knew more about sports than Brad, which helped him to become an outstanding sports trivia player.

Every year Brad played in the Lyndora Turkey Bowl, a neighborhood football game held on Thanksgiving Day, where the younger guys played against the older generation. Brad enjoyed these games so much. He also was a passionate supporter of Pitt Panther football and regularly attended games with his dad, sister, cousins, and friends. Pitt games are precious memories of times spent with Brad.

Brad loved music; going to concerts with his close friends was what he looked forward to more than anything. In school, history was Brad's favorite subject. He studied history at Indiana University of Pennsylvania and went on to receive his associate's degree from Butler County Community College on May 19, 2009. We were all so proud of him for this accomplishment. It seemed Brad's life would be everything he dreamed it could be. We all were so hopeful that he would have a bright future.

However, around the time Brad graduated from college, he became addicted to prescription pills. ''I knew there was a problem,'' writes his mother. ''But because I was naive, I didn't know exactly what was wrong. Brad was becoming moody and depressed—the total opposite of the laid-back young man he always was in the past.''

In January of 2014, Brad admitted his addiction to prescription pills and asked for help. It was believed he was using heroin at that time, but he didn't admit it. His mother's heart broke as she watched Brad sobbing because of the shame and guilt he felt from his addiction. He told her he was lost. His family tried so hard to help him. Brad went into treatment three times. He always believed he could overcome his struggles with addiction but his mother never truly understood how hard it really was for him.

The saddest day of her life was March 17, 2016—the day Brad lost his battle with addiction. He passed away from an overdose of heroin laced with Fentanyl. Brad's parents lost their baby, their only son that day. Their daughter, Kelly, lost her only sibling and best friend. They all are struggling with the grief of such a huge loss.

ETHAN CLEWELL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Ethan Clewell for being honored by the Arvada Chamber of Commerce with the Behind the Scenes Award.

The Behind the Scenes Award recipient is selected by the Arvada Chamber of Commerce staff to recognize an individual who has gone above and beyond to support the efforts of the Arvada Chamber.

Ethan Clewell is the epitome of an unsung hero. He works tirelessly behind-the-scenes to help ensure the success of many community and chamber events. In addition, Ethan dedicates his time and has helped make significant contributions to Leadership Arvada and Arvada Young Professionals. The Arvada Chamber team can always count on Ethan to go above and beyond.

I extend my deepest congratulations to Ethan Clewell for this well-deserved honor from the Arvada Chamber of Commerce.

REPORT TO THE PRESIDENT ON 902 CONSULTATIONS

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. SABLAN. Mr. Speaker, I rise today to memorialize the Report to the President on 902 Consultations and in so doing recognize the vitality of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America.

The Covenant is the fundamental agreement that brought the Marianas into this nation. It was approved by 79 percent of island voters in a 1975 plebiscite and by the U.S. Congress in U.S. Public Law 94–241 the following year. President Ronald Reagan brought the Covenant into full force and effect in 1986, pursuant to his Proclamation 5564.

The Covenant lays out in detail the nature and conditions of the relationship between the Northern Mariana Islands and the United States. There is recognition embedded in this agreement, however, that matters may arise periodically affecting the relationship, and the Covenant provides a mechanism for their examination. Section 902 requires that the President of the United States and the Governor of the Commonwealth of the Northern Mariana Islands will appoint special representatives at least every ten years to meet and consider these matters and then make a report and recommendations regarding them.

In January of this year, special representatives of the President and the Commonwealth, having met pursuant to Section 902, issued their Report to the President. Today, I include in the RECORD a web address to that report, so that it will be available to all Members of Congress and to the public at large, and so that the work and recommendations of all involved in producing this document will be memorialized and widely accessible. The address is: http://sablan.house.gov/sites/sablan.house.gov/files/documents/902%20Final%20Report.pdf.

25 YEAR AND GOING STRONG: KSBJ AND TIM McDERMOTT

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. POE of Texas. Mr. Speaker, since 1999, Houstonians wake up each Sunday and get ready for church. They get in their cars and tune into 89.3 KSBJ and start their mornings with Tim McDermott on his show ''Enter His

Gates.'' The show features some of Houston's favorite praise and worship artists. I can't think of a better way to start a Sunday than lifting up God.

For the past 25 years, Tim McDermott has worked to bring followers of Jesus Christ together. Serving as KSBJ President and General Manager since 1992, he is the longest running general manager at any major Houston radio station. It is the mark of a good manager when an organization shows growth, and that's exactly what KSBJ has done. In 1992, when Tim started, the station had only 11 employees and drew around 45,000 listeners each month. Today, the station has close to 100 employees and draws over 800,000 listeners from not just Houston, but all over the west coast.

It is often said that if you love what you do, you will never work a day in your life. The same could be said for Tim. He says he's never considered his role at KSBJ a job. Instead, he considers it a passion and a calling. The station's core value system promotes a passion for Christ, a love for people, a servant's heart and the belief that we are better together.

Under Tim's leadership, KSBJ has received various recognitions in the radio broadcast industry, including National Religious Broadcaster's Radio Station of the Year, Christian Music Broadcaster's Station of the Year and Best Christian Workplace. Not only does time strive to make KSBJ an outstanding Christian radio station, he also mentors other radio stations both around the U.S. and internationally.

Congratulations to Tim McDermott and KSBJ on 25 years of service to Houston Communities.

And that's just the way it is.

HONORING MR. SCOTT C. GRAVES

HON. TED S. YOHO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. YOHO. Mr. Speaker, I rise today to recognize the work, commitment, and character of Scott C. Graves, House Agriculture Committee staff director. Scott is my kind of man—intelligent, understanding, and a straight shooter. His rise from an intern on the House Agriculture Committee to the committee's staff director over 10 years speaks to his strong work ethic. Raised on a cattle ranch in Texas, his commitment to rural America is unquestioned—a view shared on both sides of the aisle. His work as a steadfast advisor to Chairman CONAWAY solidified his role as a leader who is both fair and firm.

But it's Scott's character that I notice most. As a member of the Agriculture Committee for the past 4 years, I have had the privilege to witness that character as he balances not just the demands of committee members, staff, and interest groups; but of a growing family. Scott, thank you for your guidance, your example, and your friendship. I wish both Scott and his lovely wife Haley all the success in the world as they turn the page onto a new chapter in their lives.

RECOGNIZING SCOTT CHESTER GRAVES

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today in recognition of Scott Graves, Staff Director of the House Committee on Agriculture. After 10 years of dedicated service to agriculture policy on Capitol Hill, Scott is leaving his position on the Committee at the end of this month.

As Staff Director of the House Committee on Agriculture, Scott has helped develop a strategic vision for the Committee and its forty-five Members that has directly shaped American agriculture policy. Working directly alongside Chairman MIKE CONAWAY, Scott has also dedicated himself to working for the best interests of all members of the agriculture community.

Having worked with Scott personally, I have seen firsthand the level of expertise and commitment that has made him an invaluable asset to the Committee. His hard work has benefited not only the staff he works with daily, but the Members on both sides of the aisle that he has loyally served.

In today's age, it is a rarity to find the combination of character, ability, and professionalism that Scott exemplifies. On behalf of the House Committee on Agriculture, I would like to thank Scott for his service and wish him the best of luck in his future endeavors.

OPPOSING THE PRESIDENT'S EXECUTIVE ORDER

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. SMITH of Washington. Mr. Speaker, I stand in strong opposition to the President's unjust and un-American executive order that blindly bars individuals from entering our country. This action, and the situation that resulted from it, has hurt an enormous number of families, including several in Washington state. In fact, a constituent of the district I represent, a man who risked his life and the lives of his family by selflessly volunteering as an interpreter in support of U.S. forces in Iraq, was affected by this travel ban.

I demand the Statue of Liberty Values Act—the SOLVE Act—be voted on and passed by the House. This legislation would rescind and defund this ill-considered and harmful executive order that hurts refugees and many others who are arbitrarily denied the ability to travel to the United States. By sowing confusion in a thinly veiled attempt to ban an entire religion from entering our country, the President has clearly shown his inability or unwillingness to govern in an reasoned and inclusive manner.

KRISTINA BURGOS EARNS GIRL SCOUT GOLD AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kristina Burgos of Sugar Land, TX, for earning her Girl Scout Gold Award.

The Gold Award is the highest achievement a Girl Scout can earn. To earn this distinguished award, Kristina had to spend at least 80 hours developing and executing a project that would benefit the community as well as have a long-term impact on girls. For her Gold award project, Kristina built a granite pathway in the Jardin de La Vida located at the Boys & Girls Club of Richmond-Rosenberg, TX, to make the garden more accessible for people with disabilities. Kristina is a sophomore at Clements High School and aspires to study English or film in college.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kristina Burgos for earning her Girl Scout Gold Award. We are confident she will have continued success in her future endeavors. We are very proud.

RECOGNIZING FAMILIES IMPACTED BY THE NATIONAL OPIOID EPIDEMIC

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to include in the RECORD the personal stories of families from across the country that have been impacted by the opioid and heroin epidemic. In the U.S. we lose 129 lives per day to opioid and heroin overdose. In my home state of New Hampshire I have learned so many heartbreaking stories of great people and families who have suffered from the effects of substance use disorder.

Earlier this year, my colleagues and I were joined by many of these courageous families who came to Washington to share their stories with Members of Congress and push for action that will prevent overdoses and save lives. Since then, we passed both the Comprehensive Addiction and Recovery Act and the 21st Century Cures Act to provide much needed funding and critical policy changes to fight this epidemic.

The advocacy of these families truly is so important to leading change in Washington and I am proud to preserve their stories.

JC CONNERS—MILWAUKEE, WISCONSIN

JC Conners came to his mother over five years ago worrying and wanting to get off of drugs. Unfortunately—by that time—he had little control over his addiction; his brain was shutting down and we didn't understand. On August 13, 2016 JC succumbed to the disease of addiction; he overdosed and died. He was 38 years old!

How does a hard-working, healthy man become severely addicted to drugs? It shocked us all. Some time ago, JC was introduced to oxycodone, a simple pill, that a friend told him would help with stress and make him

''feel good''—adding that the best part was that it wasn't easily detected and didn't get you in trouble like alcohol. Unaware, JC took the pill, not realizing the downfall that was about to happen.

JC wasn't your stereotypical addicted individual. He was high-functioning, worked hard at his job, and spent time with his family. He fooled them all by managing his everyday life so well. But slowly over time he started to deteriorate. JC eventually shared with his mother what he came to realize later: ''This so called 'medicine' shouldn't be on the market. It's misused. I'm really sick. Something's wrong. My minds off.''

After realizing this JC tried hard to stop but couldn't, with each attempted he was further consumed by his addiction. His family tried seeing doctors, therapists, etc., but they all seemed detached. JC was only a number in a long line of individuals also struggling with an addiction. We tried outpatient therapy but that didn't work either.

At another program, his family learned how this particular drug stops your brain from producing the ''right'' chemicals to function and if this continues part of your mind goes missing. We also learned that it can take years for the brain to recover and start producing these much needed chemicals again for health brain functioning. Meanwhile, the individual just wants to feel ''okay'' and as hard as they try the only way to function ''okay'' is going back on the drug.

JC overdosed Thanksgiving 2015 and survived. He overdosed for a second time this past June, again, he survived. He then spent five days in the hospital with complications related to this overdose. The day JC was released, neither the doctors nor the staff learned or inquired about his past history with addiction, they only sent him home with the suggestion he see a therapist. So, his family trusted the professionals. Two months later, JC was gone. He had fallen through the cracks and we didn't understand fully the depth of his struggles until it was too late.

My daughter asked me to write this so JC's story would be heard and to relate this message to everyone: we need to be aware and come to terms with the realization of what these drugs do to the human brain, yet these drugs are out there and way too easy to come by. Why is this happening? We need to sympathize, understand and help those struggling with addiction, not stigmatize them. JC was told by many professionals that, ''he had to want help and had to want to help himself.'' The outside help he did try failed him, so he thought he was better off overcoming his struggles on his own. We, his family didn't understand the severity of his addiction, so we let him try. We came to realize this was a terrible mistake! Professionals need to make it VERY clear to both the individual and their families that overcoming addiction can't be easily done on their own. Additionally, they need to better help us, the families, understand that our loved ones might not be thinking rationally due to the addiction compromising healthy brain functioning.

Yes, JC chose to use, but had little knowledge of the effects these drugs have on the brain because they aren't being properly explained to the public. His last years were a hard existence and he paid the ultimate price, but my son was so much more than his addiction. He was a kind, sincere, caring person, who would do anything for anyone. A kid at heart, JC believed there was good in everyone and truly wanted to turn his life around. He was a great man who was loved by so many, who just made a terrible mistake, but so did the medical system.

ANTHONY FIORE—WARRINGTON, PENNSYLVANIA

Growing up, Anthony tried to fit in with the ''good kids,'' but was shunned on many occasions. He then began to change to fit into a group that would accept him. This group of friends started smoking pot in 8th grade, and transitioned to Oxycontin by 12th grade. Anthony always wanted to have friends and was very loyal to them.

Anthony was very intelligent—he never had to study but always had above a 3.5 GPA. He enjoyed making people laugh, and would joked around a lot. He got accepted into Penn State's Main Campus in State College, PA, based on his SAT scores and his GPA. In his sophomore year he joined a fraternity.

During Christmas break in 2009, Anthony told his family he was addicted to Oxycontin. He said he could detox at home, and would take some time off before returning to college. This was the first time his parents heard anything about this.

In January 2010, Anthony returned to school and started using again. When he came home at the end of the semester, his family sent him to a relative's house for the summer—far away from anything that we thought could trigger his addition. The entire summer they kept in touch with Anthony; he was passing drug tests, and everything seemed to be going well. Anthony wanted to go back and finish college, so his family let him return that fall.

It was not until early 2011, that Anthony's family found out he was using again. They then pulled him out of school on medical leave, but this time he went to a 28 day inpatient treatment center. When he returned, everything seemed fine. Anthony had a friend pick him up to go to Narcotics Anonymous meetings and he would show his family the various chips he received for being clean for a certain amount of time. It appeared that he was clean and again, his family allowed him to return to Penn State.

At some point, Anthony switched to heroin because it was significantly cheaper. Two of his best friends, one day, came to Anthony's parents house and told them Anthony was injecting heroin. Because of their courage, his family had more time with Anthony. Anthony was then referred to an inpatient rehab facility in Pennsylvania. At the time his family didn't have insurance, so they only kept Anthony for about five days; just long enough to detox. While there, Anthony was diagnosed with depression but his family were never informed of this diagnosis. That summer Anthony stayed home, worked, and seemed to be doing fine. His family refused to let him go back to Penn State's main campus; so Anthony enrolled at the Abington campus, which was about 30 minutes from our home.

What his family later came to find out was that Anthony made a copy of his dad's car key and was sneaking out in the middle of the night to get heroin. At some point he added cocaine to the mix. On May 23, 2013, Anthony overdosed in his parent's basement. One of the boys he was with came and got his mother, and she called 911. Anthony was given Naloxone, which saved his life.

In the emergency room the nurses tried to give him another Naloxone shot, but Anthony wouldn't allow it—he wanted to enjoy what was left of his high. This shows how powerful of a hold heroin has on its victims; less than an hour earlier Anthony had almost died but he still wanted the drug. Because his heroin usage depressed his breathing so much, fluid built up in his lungs, and Anthony developed pneumonia.

Anthony then tried Vivitrol, another relapse prevention medication; this was given as a shot every 28 days by a doctor. When Anthony started receiving his shots, it worked. Then one day, Anthony told his family he wasn't going to get the shot anymore. They did everything we could to convince him and in the end they told Anthony he could no longer live them if he wasn't going to get the shot.

In the summer of 2013, Anthony and some other boys robbed a drug dealer, thinking that a drug dealer wouldn't go to the police. A warrant was issued. Months later, Anthony was stopped for possession of heroin, and when police found out about the warrant for the robbery, he was sent to prison. His family refused to bail him out, despite Anthony's constant pleas. They felt, at the time, prison was where he needed to be; at least we knew he would be safe and clean.

After about a month in prison, a private criminal defense attorney was hired; who was able to arrange Anthony's release on his own recognizance, on the condition that he immediately enter an inpatient rehab facility. By this time, we had insurance but the program only guaranteed 21 days. His family begged them to keep him longer, but they said that's all our insurance would cover.

When Anthony was released, he truly wanted to stay clean. He started cooking dinner for the family and hanging out with his younger brother, which he never did before. ''It was great to see my two boys together,'' writes Anthony's mother. ''They went to movies, to the gym, and did various things brothers do together. I finally had my Anthony back and we felt like he had won. He looked good, acted fine, and was not argumentative and agitated as he was when using. Anthony was doing well and saving to move out on his own.''

While Anthony was living with his family, they told him none of the boys he previously hung around with could come over again and he should find new friends. This lasted about four or five months, and one day he told us one of his old friends was coming over. Anthony said he was the only other person he knew who was also clean; but in reality, this friend was not clean and was still using. This friend was with Anthony the entire night and morning when he died. He said he didn't have any idea what happened, however, he did find time to steal Anthony's debit/credit card from his body, and proceed to spend $2,500.00.

''I found my son's body,'' writes his mother. ''What an awful thing for a mother to go through. We are broken. Anthony is not defined by his addiction. He was a loving and caring son, brother, grandson, nephew, and cousin. He was very intelligent, kind, thoughtful, and funny. He was a hard-working young man with a bright future.''

MEGAN ROSE KELLEY—APPLETON, WISCONSIN

Megan Rose Kelly, forever 22, was the youngest of four siblings. From a young age, Megan was helpful and always nice to people—she was a joy to be around. Growing up, Megan was involved in soccer and Girl Scouts. She was well-liked by everyone who met her.

Megan, who was a kind and beautiful girl, had a lot of insecurities. In the eighth grade, to better fit in with her peers, Megan started hanging around with people who were drinking to have fun. As things progressively got out of hand, Megan's mother turned to a social worker for help. Megan was put in counseling and an outpatient drug treatment.

At 14, Megan met a guy who was seven months younger and had been diagnosed with bipolar disorder. Through this destructive relationship, Megan turned to shoplifting and began experimenting with more drugs. By sophomore year of high school, Megan started skipping school, which resulted in truancy charges.

Throughout high school, Megan got into enough trouble where she had to serve time in jail and was court ordered to be on probation for three years. After two years, her probation officer decided to take her off of probation. Things then started to settle down for Megan, until the summer of 2013, when her mother was told that Megan was addicted to prescription painkillers. She confronted Megan, but denied it. Later that summer, Megan and her boyfriend of four years got into huge argument and broke up. Soon afterwards, she started seeing another guy.

Megan's mother spoke with Megan multiple times about her addiction, and each time she blew her off. On November 2, 2013, her mother spent the entire day with Megan and her new boyfriend cleaning her house. Around 4:30 PM Megan and her mother both left; Megan went to work and her mother drove home.

Around 10:10 PM that night, Megan's mother received a phone call from her sister telling her that Megan's boyfriend was dead. It was found out that Megan's boyfriend had been snorting Percocet throughout the day, and died as a result. Shortly afterwards, two of his friends showed Megan how to inject heroin. By March 2014, Megan came to her mother and asked her for help, sending Megan to a rapid detox facility in Detroit. Megan's mother was reluctant to spend the $7,800, but Megan begged and said it was a matter of life or death.

After Megan completed detox, she got so sick she ended up having to go to the hospital and was hooked up to an IV. She was diagnosed with pancreatitis, caused by heroin use. This was when her mother first found out Megan was using heroin, and the nightmare had only just begun.

Three days later, after being discharged from the hospital, Megan was arrested and charged with four felony counts involving heroin. The next day at court, Megan's mother paid $10,000 to bail Megan out.

Over the next five months, Megan's mother thought she was doing great; Megan was passing all of her drug tests. One night, Megan was stopped by the police because her car windows were too darkly tinted, and was rearrested when they found syringes on her.

Megan spent four months in jail before she was sentenced. During her sentencing, the judge said that heroin was a powerful drug, only to deny Megan a nine-month court-ordered inpatient treatment program for a drug that kills. Four months into her sentence, Megan relapsed, overdosed, and died. ''My life forever changed that day,'' writes Megan's mother. ''Her sentence became a death penalty.''

KIRSTYN KING—RICHMOND, VIRGINIA

Kirstyn King was born in the early afternoon on December 8, 1990. She was a perfect baby and everything her family had hoped for in an infant daughter. The first time they saw her tiny, sweet face, they were overwhelmed with love, hope and emotions they had never experienced before. Her mother saw her own future and past in Kirstyn's eyes and cried with joy, she knew she'd do everything to protect her child and new family.

As the years went by, Kirstyn's mother worked hard and elevated their financial status to a six-figure income. A lot happens over the passage of time and in that particular period there were mostly beautiful memories, but, unfortunately, there were also agonizing ones that still haunt her today. Despite her every attempt to shield her family from life's worst, Kirstyn was harmed and sexually exploited when she was a young teenager. This started a slow avalanche as she rebelled and struggled. Her mother tried to help her but she felt so powerless. Kirstyn's despair was evident and her mothers attempts to make it all go away were futile.

''Around this time, I injured my back falling down the stairs,'' writes Kirstyn's mother. ''The physical pain was unlike anything I had ever experienced. This led to a prescription pill addiction that bottomed out in a horrible way. After layoff and foreclosure, I began writing my own prescriptions to support my escalating habit. I ended up in jail. I had never been in trouble in my life and suddenly I was a felon, effectively homeless and jobless, after being a homeowner twice over with a promising career.''

''My children never used drugs more than the occasional sampling. Kirstyn suffered from anxiety and once I went to jail, the mom that had always saved the day was powerless to help her. Her fiance transferred with a government contractor to England and her brother, nearly 18, moved with his father to California. She felt alone and began heavily and carelessly self-medicating.''

Kirstyn was shy, gentle and gorgeous. She adored animals and wanted to save all of them. She would find the least attractive, the most broken of the bunch, and that would be the cat or dog she wanted to take home. From tadpoles to earthworms, there wasn't a creature that she was afraid of and didn't love. She had an infectious belly laugh and always saw the best in others. She complemented other girls and gave the most she could of her wonderful soul. She was the life of the party and a risk-taker with a childlike spirit. Her light wasn't reciprocated. In fact, it was abused. On October 16, 2011, Kirstyn lost her life to her brief addiction. I was in jail and could do nothing. All I can tell you is that it is a grief I'll never be able to fully comprehend or articulate.

''As a recovered addict and grieving mother of a 20 year old who lost her promising life to addiction, I know we must do more,'' writes Kirstyn's mother. ''Those in recovery who are able to speak must be heard and represented in this fight to find solutions for this crippling American epidemic. We can't continue to villainize and hunt for the dealer or ''that bad kid'' that influenced our child. We need to dig deep, open our eyes and ask, why does America hurt? We are a nation in crisis.''

MATT KLOSOWSKI—BEAR, DELAWARE

Have you ever met a guy whose smile could light up a room? Who made you feel like you had found a long lost friend? The kind of guy who would give you the shirt off his back? That guy who brings every stray dog home and makes it a member of the family? That was Matt Klosowski. He had that happy-go-lucky personality that drew people in and made them fall in love. Unfortunately for Matt, he never loved himself enough. He experimented with marijuana in high school and after graduating to pills, ended up in his first 30 days inpatient treatment facility.

Matt went on the become an excellent mechanic. He moved to the beach, bought a home and opened his own business. His adult life appeared successful and drug-free. Matt's family took a deep breath and started to relax, only to discover soon after that Matt was hiding his addiction. At first it was just casual use—a Saturday night party or coming down from a busy week of work. But he was slipping back into the deadly mindset that made him believe he was in control.

The beginning of the end began when Matt suffered a back injury—he had been lifting an engine when he felt a pop. The next day he could barely walk. Matt called his mother to let her know that the doctor gave him Percocet. Matt struggled with an addiction to Percocet for seven years. During that time he lost everything he had worked so hard to gain. He tried to continue working on cars while he was abusing pills, but it was obvious to his steady customers that something was terribly wrong and they took their business elsewhere. His business closed six months after his injury. After missing too many mortgage payments his beach house was repossessed by the bank. Everything he loved now gone.

During those seven years Matt was in and out of treatment. Due to his insurance, however, Matt was never permitted to stay for the length of time he needed to learn how to handle life without pills. He would come home clean and his family would look into his clear eyes and thank God that Matt was back. He was such a joy to be around. He didn't want to be tortured by cravings. Our life would start to feel normal again but his family's joy was short-lived when, within a matter of weeks, Matt returned to his world of numbness and the cycle began again.

Matt's last attempt to get clean took place at a treatment center close to home. As his mother watched Matt struggle with demons that had plagued him for most of his adult life, she was proud and hopeful. Matt was coming back. Each time she visited she was greeted by his clear eyes and beautiful smile. She remembers sitting together looking out over the water. Matt was headed to a recovery home in Florida. She was unsure about his decision but remembered every book she read always talked about how different people, places and things are the best choice to support new sobriety. When Matt left for Florida on June 2, 2014, he wrapped her up in a big bear hug and told her he was so happy to have the monkey off his back. Little did she know that monkey would find him in Florida.

Matt was starting a new life and Once again he was living by the sea—his happy place. He found a job, his self esteem returned, and his mother believe that this was his ''ah-ha'' moment, that finally he was in a good place.

For reasons her heart will never understand, Matt relapsed and died. He lost his battle on January 3rd, 2015.

CAROL HODGES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Carol Hodges for being honored by the Arvada Chamber with the Chairman's Choice Award.

The Chairman's Choice Award is selected annually by the Chairman of the Arvada Chamber of Commerce Board of Directors to recognize a member of the community who has shown leadership and outstanding support to the Arvada Chamber.

Carol Hodges serves the Arvada Chamber and her community with a sense of pride, energy and commitment. She is always willing to step up when called upon and works diligently to see each project through to the end. Carol's kindness and service has made a difference in Arvada and helped make it a great place to live, work and play.

I extend my deepest congratulations to Carol Hodges for this well-deserved recognition by the Arvada Chamber of Commerce.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4,

1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 2, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 7

9:30 a.m.

Committee on Armed Services

To receive a closed briefing on cyber threats.

SVC–217

FEBRUARY 8

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine Inspector General recommendations for improving Federal agencies.

SH–216

Committee on Environment and Public Works

To hold an oversight hearing to examine modernizing our nation's infrastructure.

SD–406

2:30 p.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine the current readiness of United States forces.

SR–232A

Committee on Indian Affairs

To hold an oversight hearing to examine emergency management in Indian Country, focusing on improving the Federal Emergency Management Agency's Federal-tribal relationship with Indian tribes.

SD–628

FEBRUARY 9

10 a.m.

Committee on Foreign Relations

To hold hearings to examine the United States, the Russian Federation, and the challenges ahead.

SD–419

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate confirmed the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

Senate

Chamber Action

Routine Proceedings, pages S541–S607

Measures Introduced: Twenty-six bills and sixteen resolutions were introduced, as follows: S. 249–274, S.J. Res. 16–19, and S. Res. 30–41. **Pages S594–95**

Measures Reported:

H.R. 255, to authorize the National Science Foundation to support entrepreneurial programs for women.

H.R. 321, to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach.

S. Res. 30, authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

S. Res. 31, authorizing the expenditures by the Special Committee on Aging.

S. Res. 32, authorizing expenditures by the Committee on Small Business and Entrepreneurship.

S. Res. 33, authorizing expenditures by the Committee on Energy and Natural Resources.

S. Res. 34, authorizing expenditures by the Committee on Homeland Security and Governmental Affairs.

S. Res. 36, authorizing expenditures by the Senate Committee on Indian Affairs.

S. Res. 37, authorizing expenditures by the Committee on Foreign Relations.

S. Res. 39, authorizing expenditures by the Committee on Health, Education, Labor, and Pensions. **Page S594**

Measures Passed:

National Tribal Colleges and Universities Week: Senate agreed to S. Res. 40, designating the week beginning on February 5, 2017, as "National Tribal Colleges and Universities Week". **Page S604**

National Stalking Awareness Month: Senate agreed to S. Res. 41, raising awareness and encouraging the prevention of stalking by designating January 2017 as "National Stalking Awareness Month". **Page S604**

Measures Considered:

Stream Protection Rule—Agreement: Senate began consideration of H. J. Res. 38, disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, after agreeing to the motion to proceed. **Pages S562–74**

By 56 yeas to 42 nays (Vote No. 42), Senate agreed to the motion to proceed to consideration of the joint resolution. **Pages S561–62**

Prior to the consideration of this measure, Senate took the following action:

By 55 yeas to 42 nays (Vote No. 41), Senate agreed to the motion to proceed to Legislative Session. **Page S561**

A unanimous-consent-time agreement was reached providing for further consideration of the joint resolution at approximately 11 a.m., on Thursday, February 2, 2017; and that there be six hours of debate remaining, equally divided in the usual form. **Page S605**

Approval of Journal: By 54 yeas to 44 nays (Vote No. 39), Senate approved the Journal to date. **Page S554**

Appointments:

Board of Regents of the Smithsonian Institution: The Chair, on behalf of the Vice President, pursuant to the provisions of 20 U.S.C., sections 42 and 43, re-appointed Senator Leahy as a member of the Board of Regents of the Smithsonian Institution. **Page S604**

Washington's Farewell Address—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the resolution of the Senate of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday,

February 27, 2017, at a time to be determined by the Majority Leader in consultation with the Democratic Leader. **Page S604**

DeVos Nomination—Cloture: Senate began consideration of the nomination of Elisabeth Prince DeVos, of Michigan, to be Secretary of Education. **Pages S554–61**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, February 3, 2017. **Page S554**

Prior to the consideration of this nomination, Senate took the following action:

By 53 yeas to 44 nays (Vote No. EX. 38), Senate agreed to the motion to proceed to Legislative Session. **Pages S553–54**

By 52 yeas to 47 nays (Vote No. 40), Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S554**

Nomination Confirmed: Senate confirmed the following nomination:

By 56 yeas to 43 nays (Vote No. EX. 36), Rex W. Tillerson, of Texas, to be Secretary of State. **Pages S541–53, S607**

During consideration of this nomination today, Senate also took the following action:

By 55 yeas to 43 nays (Vote No. EX. 37), Senate agreed to the motion to table the motion to reconsider the vote on confirmation of the nomination. **Page S553**

Nominations Received: Senate received the following nominations:

Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

Rachel L. Brand, of Iowa, to be Associate Attorney General.

Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General. **Page S607**

Messages from the House: **Pages S592–93**

Measures Referred: **Page S593**

Measures Read the First Time: **Page S593**

Executive Reports of Committees: **Page S594**

Additional Cosponsors: **Pages S595–96**

Statements on Introduced Bills/Resolutions: **Pages S596–S604**

Additional Statements: **Pages S591–92**

Authorities for Committees to Meet: **Page S604**

Record Votes: Seven record votes were taken today. (Total—42) **Pages S553–54, S561–62**

Adjournment: Senate convened at 12 noon and adjourned at 9:25 p.m., until 11 a.m. on Thursday, February 2, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S605.)

Committee Meetings

(Committees not listed did not meet)

CBO BUDGET AND ECONOMIC OUTLOOK

Committee on the Budget: Committee concluded a hearing to examine the Congressional Budget Office's budget and economic outlook, focusing on fiscal years 2017–2027, after receiving testimony from Keith Hall, Director, Congressional Budget Office.

REDUCING REGULATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine a growth agenda, focusing on reducing unnecessary regulatory burdens, after receiving testimony from Jack N. Gerard, American Petroleum Institute, Rosario Palmieri, National Association of Manufacturers, Adam J. White, The Hoover Institution, and Lisa Heinzerling, Georgetown University Law Center, all of Washington, D.C.; and Gary Shapiro, Consumer Technology Association, Arlington, Virginia.

BUSINESS MEETING

Committee on Environment and Public Works: Committee began consideration of an original resolution authorizing expenditures by the committee, rules of procedure for the 115th Congress, and the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency, but did not complete action thereon, recessed subject to the call, and will meet again on Thursday, February 2, 2017.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Steven T. Mnuchin, of California, to be Secretary of the Treasury, and Thomas Price, of Georgia, to be Secretary of Health and Human Services.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported an original resolution (S. Res. 34) authorizing expenditures by the committee, and adopted its rules of procedure for the 115th Congress.

Also, committee announced the following subcommittee assignments:

Permanent Subcommittee on Investigations: Senators Portman (Chair), Lankford, McCain, Paul, Daines, Carper, Tester, Heitkamp, and Peters.

Subcommittee on Federal Spending Oversight and Emergency Management: Senators Paul (Chair), Lankford, Enzi, Hoeven, Peters, Hassan, and Harris.

Subcommittee on Regulatory Affairs and Federal Management: Senators Lankford (Chair), McCain, Portman, Enzi, Daines, Heitkamp, Carper, Hassan, and Harris.

Senators Johnson and McCaskill are ex-officio members of each subcommittee.

INDIVIDUAL HEALTH INSURANCE MARKET

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the Affordable Care Act, focusing on stabilizing the individual health insurance market, after receiving testimony from former Kentucky Governor Steven L. Beshear, Lexington; Julie Mix McPeak, Tennessee Department of Commerce and Insurance, Nashville; and Marilyn Tavenner, America's Health Insurance Plans, and Janet Stokes Trautwein, National Association of Health Underwriters, both of Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nomination of Jeff Sessions, of Alabama, to be Attorney General, Department of Justice.

NOMINATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine the nomination of David J. Shulkin, of Pennsylvania, to be Secretary of Veterans Affairs, after the nominee, who was introduced by Senator Toomey, testified and answered questions in his own behalf.

BUSINESS MEETING

Special Committee on Aging: Committee ordered favorably reported an original resolution (S. Res. 31) authorizing expenditures by the Committee, and adopted its rules of procedure for the 115th Congress.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 35 public bills, H.R. 781–815; and 11 resolutions, H.J. Res. 56–59; H. Con. Res. 16–18; and H. Res. 78–81, were introduced. **Pages H875–77**

Additional Cosponsors: **Page H879**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Valadao to act as Speaker pro tempore for today. **Page H823**

Recess: The House recessed at 10:48 a.m. and reconvened at 12 noon. **Page H828**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H829, H859**

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers": The House passed H.J. Res. 41, providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers", by a yea-and-nay vote of 235 yeas to 187 nays, Roll No. 72. **Pages H848–59**

H. Res. 71, the rule providing for consideration of the joint resolutions (H.J. Res. 41) and (H.J. Res. 40) was agreed to by a recorded vote of 231 ayes to 191 noes, Roll No. 71, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 191 nays, Roll No. 70. **Pages H831–39**

Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule: The House passed H.J. Res. 38, disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, by a yea-and-nay vote of 228 yeas to 194 nays, Roll No. 73. **Pages H840–48, H859**

H. Res. 70, the rule providing for consideration of the joint resolution (H.J. Res. 38) was agreed to yesterday, January 31st.

Quorum Calls—Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H838–39, H839, H858–59, and H859. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:50 p.m.

Committee Meetings

ORGANIZATIONAL MEETING

Committee on Agriculture: Full Committee held an organizational meeting for the 115th Congress. The committee adopted its rules, oversight plan, and staff list.

THE STATE OF THE WORLD: NATIONAL SECURITY THREATS AND CHALLENGES

Committee on Armed Services: Full Committee held a hearing entitled ''The State of the World: National Security Threats and Challenges''. Testimony was heard from public witnesses.

RESCUING AMERICANS FROM THE FAILED HEALTH CARE LAW AND ADVANCING PATIENT–CENTERED SOLUTIONS

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Rescuing Americans from the Failed Health Care Law and Advancing Patient-Centered Solutions''. Testimony was heard from public witnesses.

STRENGTHENING MEDICAID AND PRIORITIZING THE MOST VULNERABLE

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Strengthening Medicaid and Prioritizing the Most Vulnerable''. Testimony was heard from public witnesses.

THE ELECTRICITY SECTOR'S EFFORTS TO RESPOND TO CYBERSECURITY THREATS

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled ''The Electricity Sector's Efforts to Respond to Cybersecurity Threats''. Testimony was heard from public witnesses.

NEXT STEPS IN THE 'SPECIAL RELATIONSHIP'—IMPACT OF A U.S.-U.K. FREE TRADE AGREEMENT

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade; and Subcommittee on Europe, Eurasia, and Emerging Threats, held a joint hearing entitled ''Next Steps in the 'Special Relationship'—Impact of a U.S.-U.K. Free Trade Agreement''. Testimony was heard from public witnesses.

ORGANIZATIONAL MEETING

Committee on Homeland Security: Full Committee held an organizational meeting for the 115th Congress. The committee adopted its rules, oversight plan, and a committee resolution relating to staff hiring. The chair and ranking member agreed to the security policy and travel policy. The chair and ranking member also announced the subcommittees and member assignments.

EMPOWERING THE INSPECTORS GENERAL

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Empowering the Inspectors General''. Testimony was heard from Michael E. Horowitz, Chair, Council of the Inspectors General on Integrity and Efficiency, Inspector General, Department of Justice; Kathy A. Buller, Executive Chair, Legislation Committee, Council of the Inspectors General on Integrity and Efficiency, Inspector General, Peace Corps; Scott S. Dahl, Inspector General, Department of Labor; and John Roth, Inspector General, Department of Homeland Security.

FIVE YEARS LATER: A REVIEW OF THE WHISTLEBLOWER PROTECTION ENHANCEMENT ACT

Committee on Oversight and Government Reform: Subcommittee on Government Operations held a hearing entitled ''Five Years Later: A Review of the Whistleblower Protection Enhancement Act''. Testimony was heard from Robert P. Storch, Deputy Inspector General and Whistleblower Ombudsman, Office of Inspector General, Chair, Whistleblower Ombudsman Working Group Council of the Inspectors General on Integrity and Efficiency, Department of Justice; Eric Bachman, Deputy Special Counsel for Litigation and Legal Affairs, Office of Special Counsel; and public witnesses.

ORGANIZATIONAL MEETING

Committee on Small Business: Full Committee held an organizational meeting for the 115th Congress. The committee adopted its rules and its authorization and oversight plan.

BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled ''Building a 21st Century Infrastructure for America''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D82)*

H.R. 72, to ensure the Government Accountability Office has adequate access to information. Signed on January 31, 2017. (Public Law 115–3)

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 2, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Budget: business meeting to consider the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget, 11 a.m., SD–608.

Committee on Environment and Public Works: to continue an organizational business meeting to consider committee rules, an original resolution authorizing expenditures by the committee during the 115th Congress, and the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency, 10:15 a.m., SD–406.

Committee on Homeland Security and Governmental Affairs: business meeting to consider the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget, 10 a.m., SD–342.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

House

Committee on Armed Services, Full Committee, business meeting for consideration of the committee oversight plan for 115th Congress, 10 a.m., 2118 Rayburn.

Committee on the Budget, Full Committee, hearing entitled ''The Congressional Budget Office's Budget and Economic Outlook'', 10 a.m., 1334 Longworth.

*Committee on Education and the Workforce,*Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled ''Helping Students Succeed Through the Power of School Choice'', 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,*Subcommittee on Health, hearing entitled ''Patient Relief from Collapsing Health Markets'', 10:30 a.m., 2123 Rayburn.

Subcommittee on Communications and Technology, hearing entitled ''Reauthorization of NTIA'', 10:45 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, organizational meeting for the 115th Congress, 11 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa; and Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, joint hearing entitled ''Israel, the Palestinians, and the United Nations: Challenges for the New Administration'', 10 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation and Protective Security, hearing entitled ''The Future of the Transportation Security Administration'', 10 a.m., HVC–210.

Committee on the Judiciary, Full Committee, markup on H.R. 732, the ''Stop Settlement Slush Funds Act of 2017''; H.R. 720, the ''Lawsuit Abuse Reduction Act of 2017''; and H.R. 725, the ''Innocent Party Protection Act'', 10 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Improving Security and Efficiency at OPM and the National Background Investigations Bureau'', 9 a.m., 2154 Rayburn.

Full Committee, business meeting on the committee's oversight and authorization plan; and markup on H.R. 396, the ''Tax Accountability Act of 2017''; H.R. 194, the ''Federal Agency Mail Management Act of 2017''; H.R. 702, the ''Federal Employee Antidiscrimination Act of 2017''; H.R. 679, the ''Construction Consensus Procurement Improvement Act of 2017''; H.R. 653, the ''Federal Intern Protection Act of 2017''; and H.R. 657, the ''Follow the Rules Act'' (continued), 1 p.m., 2154 Rayburn.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED FIFTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through January 31, 2017

	Senate	*House*	*Total*
Days in session	16	16	..
Time in session	83 hrs., 16′	87 hrs., 19′	..
Congressional Record:			
Pages of proceedings	540	822	..
Extensions of Remarks	..	110	..
Public bills enacted into law	1	2	3
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Measures passed, total	16	100	116
Senate bills	1	1	..
House bills	2	67	..
Senate joint resolutions	..	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	3	3	..
House concurrent resolutions	..	1	..
Simple resolutions	10	27	..
Measures reported, total	*7	*8	15
Senate bills	2	..	..
House bills	..	..	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	..	..
Simple resolutions	5	8	..
Special reports	1	..	..
Conference reports	..	..	..
Measures pending on calendar	2	2	..
Measures introduced, total	288	927	1,215
Bills	238	780	..
Joint resolutions	15	55	..
Concurrent resolutions	6	15	..
Simple resolutions	29	77	..
Quorum calls	1	1	..
Yea-and-nay votes	35	26	..
Recorded votes	..	42	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 2 written reports have been filed in the Senate, 8 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through January 31, 2017

Civilian nominations, totaling 52, disposed of as follows:	
Confirmed	6
Unconfirmed	46
Army nominations, totaling 2, disposed of as follows:	
Unconfirmed	2
Navy nominations, totaling 1, disposed of as follows:	
Unconfirmed	1

Summary

Total nominations carried over from the First Session	0
Total nominations received	55
Total confirmed	6
Total unconfirmed	49
Total withdrawn	0
Total returned to the White House	0

Next Meeting of the SENATE

11 a.m., Thursday, February 2

Senate Chamber

Program for Thursday: Senate will continue consideration of H.J. Res. 38, Stream Protection Rule, with six hours of debate remaining on the joint resolution.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, February 2

House Chamber

Program for Thursday: Consideration of H.J. Res. 40—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007. Consideration of H.J. Res. 37—Disapproving the final rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Beyer, Donald S., Jr., Va., E113
Brady, Kevin, Tex., E117
Butterfield, G.K., N.C., E119
Byrne, Bradley, Ala., E113
Carson, André, Ind., E122
Cohen, Steve, Tenn., E118
Collins, Doug, Ga., E122
Ellison, Keith, Minn., E117
Jenkins, Evan H., W.Va., E117
Kelly, Robin L., Ill., E114
Kuster, Ann M., N.H., E111, E114, E119, E122, E125
Matsui, Doris O., Calif., E117
Olson, Pete, Tex., E114, E122, E125
Perlmutter, Ed, Colo., E113, E116, E118, E121, E124, E127
Perry, Scott, Pa., E117
Poe, Ted, Tex., E124
Rutherford, John H., Fla., E122
Sablan, Gregorio Kilili Camacho, Northern Mariana Islands, E124
Schiff, Adam B., Calif., E117
Scott, Austin, Ga., E125
Sewell, Terri A., Ala., E116
Smith, Adam, Wash., E125
Stefanik, Elise M., N.Y., E121
Veasey, Marc A., Tex., E118
Visclosky, Peter J., Ind., E121
Yoho, Ted S., Fla., E125

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.govinfo.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.