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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 14, 2017.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN 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.

HONORING THE BOY SCOUTS ON 107 YEARS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to celebrate the 107th birthday of an organization near and dear to my heart: the Boy Scouts of America.

On May 17, 1977, I became an Eagle Scout myself as a member of Boy Scout Troop 52, Walker Township, Pennsylvania. Over the years, I have proudly held various leadership roles with Boy Scout troops in Pennsylvania, including two separate stints as scoutmaster of Troop 353 in Howard.

One of my greatest honors was to witness 29 young men achieve the rank of Eagle Scout during my time as scoutmaster. The Boy Scouts of America is the largest Scouting organization in the United States, one of the largest youth organizations in the world. It boasts more than 2.4 million youth participants and more than 1 million adult volunteers.

Mr. Speaker, at its core, Scouting encourages that we leave this world a little bit better than how we found it. This value-based youth development organization provides programs for young people that build character, trains them in the responsibilities of participating citizenship, and develops personal fitness, personal self-reliance.

The Boy Scouts of America has helped build future leaders by combining educational activities and lifelong values with fun. The Boy Scouts of America believes—and, through over a century of experience, knows—that helping youth is a key to building a more conscientious, responsible, and productive society.

Scouting focuses on moral character development, citizenship training, and development of physical, mental, and emotional fitness. Scouting promotes serving others every day in ways big and small. These values are something all of us can respect and admire. Family involvement is an essential part of the program, and parents are encouraged to play an active role in making the most of the short time they have to impact the lives of their children.

Scouting is designed to be experienced outdoors. Hiking, camping, mountain biking, skateboarding, BMX, mountain climbing, kayaking, white-water rafting—these are just some of a Scout's outdoor experiences.

The Scouting program is delivered through local civic, faith-based, and educational institutions called charter organizations, which operate Scouting units to deliver the programs to their youth members as well as the community at large. These organizations are dedicated to helping youth learn and grow, and I have enthusiastically been involved in Scouting for decades.

Boy Scouts offer more than 130 merit badges, from archery and art to welding and wilderness survival. Scouting is the ultimate form of learning by doing. Boy Scouts explore their interests and improve their skills while working towards Scouting's highest rank: Eagle. By first imaging, planning, then doing their own service projects, Boy Scouts learn the value of hard work and experience the thrill of seeing it pay off. Add in outdoor adventures, hiking, and camping, and Scouting gives boys all the experiences they need to become fine men.

The Venturing program, which is a co-ed division of the Boy Scouts, is geared towards men and women, ages 14 to 20. Venturing's motto ''Lead the Adventure'' is truly geared towards the pursuit of adventure: exploring new places with friends and accomplishing challenges together. There are currently 158,000 Venturers and 58,000 adult volunteers with the Venturing program in the United States.

Mr. Speaker, I cannot be more proud of this organization and the way it helps shape young lives. Happy birthday, Boy Scouts of America. Thank you for the wisdom that you have imparted in millions of Americans.

CELEBRATING NATIONAL COURT REPORTING AND CAPTIONING WEEK

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

Mr. KIND. Mr. Speaker, I rise today in recognition of National Court Reporting and Captioning Week and in

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appreciation of court reporters across the country.

Court reporters play a critical role in our communities. They are the guardians of our public record. They have unique skills translating the spoken word into text to be recorded for history. They preserve judicial proceedings and assist individuals who are deaf and hard of hearing.

I have seen firsthand the dedication and professionalism shown by court reporters from my time as a special prosecutor in Wisconsin and, more importantly, from my wife Tawni, who has been a court reporter in western Wisconsin for nearly 25 years. I wish her a happy Valentine's Day today.

In addition to the critical role court reporters play in the courtroom, the National Court Reporters Association and its members have made significant contributions to the success of the Veterans History Project. The Veterans History Project, which was created by legislation that I authored, is the largest oral history collection in the world, having collected over 100,000 stories from our Nation's veterans. Their stories are permanently stored at the Library of Congress and are available to the public.

Shortly after the Veterans History Project was launched in 2000, my wife Tawni encouraged court reporters across the country to partner with the Library of Congress to assist in transcribing veterans' stories; and to date, court reporters have submitted over 4,000 oral history transcripts to the Library of Congress. Not only have court reporters been willing to work with the Library of Congress to transcribe stories that had already been submitted, but many court reporters have personally gone and interviewed veterans in their local communities.

For example, last August, at the court reporters' national convention, the National Court Reporters Foundation celebrated Purple Heart Day by interviewing eight Purple Heart recipients for the Veterans History Project. Additionally, the National Court Reporters Foundation recently launched a new program called the Hard-of-Hearing Heroes Project, where veterans with profound hearing loss will be interviewed for the Veterans History Project through the use of realtime captioning.

This is important because, according to the VA, hearing loss is one of the most common service-related injuries, and it is estimated that 60 percent of our veterans returning from Iraq and Afghanistan suffer some form of hearing loss. The program will help ensure every veteran has a chance to share his or her story.

As we celebrate National Court Reporting and Captioning Week, I want to thank the National Court Reporters Association and its many members throughout the country for their hard work and professionalism. I especially want to thank the court reporters for their significant contributions to the Veterans History Project and to preserving veterans' stories for generations to come.

VENEZUELA SANCTIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, yesterday the new administration, including Treasury Department's Office of Foreign Assets Control, OFAC, took decisive action to hold Venezuelan regime officials accountable for their elicit activity.

The announcement was that two Venezuelan nationals were labeled as ''specially designated narcotics traffickers'' pursuant to the Kingpin Act, including Venezuela's second in command, the Vice President of Venezuela, and his front man, Lopez Bello. It also identified 13 companies owned or controlled by these individuals or other designated parties that pose a serious threat to U.S. national security as well as the U.S. and global financial systems. These designations were long overdue, Mr. Speaker, and represent a significant first step in what appears to be a positive, fundamental shift in our policy toward Venezuela.

Just yesterday, my colleague MARIO DIAZ-BALART and I met with Vice President PENCE to discuss Venezuela and how Congress and the administration can work together to craft a positive agenda to help the people in Latin America suffering without democracy or human rights.

Last week, Senator BOB MENENDEZ of New Jersey and I led a bipartisan and bicameral letter—together with 32 of our congressional colleagues—to the President urging his administration to take immediate action against the Maduro regime for his illicit activity and for its gross human rights abuses. While this round of sanctions target the illegal drug activities of these officials, this is just the tip of the corruption iceberg in Venezuela, Mr. Speaker.

In fact, Venezuela's so-called Executive Vice President has facilitated drug shipments, has protected drug traffickers in Venezuela, and has alleged links with the U.S.-designated foreign terrorist organization and Iranian proxy, Hezbollah. According to OFAC, the Office of Foreign Assets Control, the second individual also sanctioned is Lopez Bello, who laundered drug proceeds and generated significant profits as a result of illegal activities.

Holy Toledo.

While these announced sanctions were a critical first step, it pales in comparison to the dire humanitarian situation that Maduro and his cronies have created for the people of Venezuela. Mr. Speaker, Venezuela has been on a downward spiral for years, and there have been bipartisan calls from Congress to take action in support of the Venezuelan people.

Maduro's failed economic policies have the country with the highest inflation rate in the world leaving his people without food, without basic necessities, without medical supplies. In most areas, hospitals and groceries have shut down due to lack of supplies, and the people of Venezuela are forced to ransack what is left of these hospitals and stores for the basic survival of their families.

How does the regime react when they see the suffering of their own citizens? They are lining their own pockets at the expense and the suffering of the Venezuelan people. An AP report showed that senior-level officials like Generals Rodolfo Marco Torres and Carlos Osorio are allegedly orchestrating fraudulent schemes with suspected shell companies to personally profit, instead of bringing food to the people.

Opposition leaders like Leopoldo Lopez and Antonio Ledesma are still in jail or under house arrest. Leaders like Maria Corina Machado of the National Congress is still not allowed to travel outside her country. This is unacceptable, Mr. Speaker. Their so-called crimes: speaking out against the Maduro regime and standing up for democratic principles.

The regime stifles all who stand for democracy and freedom in Venezuela. The opposition is vilified, is persecuted, and is arrested on false charges. We must show Venezuelans that their fight is not in vain, that their actions are seen, and that their cries are heard.

Next on the sanctions list should be the judges and officers of these kangaroo courts in Venezuela who are behind this unwarranted incarceration and are responsible for the injustices and human rights violations.

Mr. Speaker, this is what America is all about. We stand firmly by our values, firmly in our ideals, and we promote and defend them, and we try to have other parts of the world be enlightened in this way.

Hope is dwindling quickly in Venezuela. As human rights violations multiply, now is the time to hold Venezuelan regime officials accountable, and we urge all responsible nations to join us in this struggle.

□ 1015

LET THE PEOPLE DECIDE

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

Mr. POCAN. Mr. Speaker, if you would have asked me when I first got elected to Congress, would I ever expect to be in a position, months after a Presidential election, about whether or not the integrity of that election was at stake, I would have said ''of course not.''

Our democracy's strength is that any adult has an equal say in it through their vote; that the wealthiest or the poorest, the youngest or the oldest adult, regardless of their gender, race,

religion, or sexual orientation, we all have an equal say in our democracy via our vote; which is why the vote is so important. It is the great equalizer and it gives us confidence in our government, that whoever the people select to be President should be the force of the majority.

But the concern I am speaking about today is the concern that somehow the election this past November might have been interfered with by another government.

Now, I know we have all heard about the intelligence community's classified report regarding Russian hacking and interference in our elections. I have read it and so have many of my colleagues. And, allegedly, President Trump has read the document as well.

My concern is that we seem to have different interpretations of a document that is very clear about unprecedented outside interference. For those of us who have read it, shock. Shock that another country would be so cavalier in their approach to interfere with an election, to manipulate the truth, to go farther than we have ever seen in trying to get the outcome they wanted and ultimately got.

There is no secret that President Trump has an unnerving affection for Russian President Vladimir Putin. Trump has called Putin ''very smart.'' He claimed Putin was a better leader than Barack Obama. And Trump even defended Putin in a recent interview with a FOX News talk show host.

The connections to Russia and his Cabinet are equally unnerving. Secretary of State Rex Tillerson had numerous business dealings with Russia, and was even recognized by Putin with the Order of Friendship in 2013.

But it doesn't stop there. Just last week, U.S. investigators confirmed that parts of the 35-page intelligence dossier, compiled by a former British spy, were accurate. The dossier contained still unconfirmed details of an all-too-cozy relationship between Russian President Vladimir Putin and the Trump Cabinet.

Just yesterday, President Trump's own National Security Adviser, Michael Flynn, resigned after being busted for having potentially illegal conversations with the Russian Government regarding lifting sanctions on the country prior to President Trump taking office; conversations he had previously misled to the FBI and the Vice President.

Who else knew about Flynn, and when did they know about it?

Now, I don't bring this up as an effort to get back into a Cold War with Russia, as some seem to condone. I am disgusted by the Russian Government's scapegoating of the LGBT community and their authoritarian approach to civic affairs. I think getting back into a Cold War would be a terrible idea, and there are some areas around the globe where we could welcome cooperation to solve humanitarian crises.

My concern lies in that the Russian Government did something, hacking and interfering in our elections with the intent of electing their choice for President, Donald Trump. That must be addressed through sanctions and safeguards to make sure it never happens again.

If anyone in the executive branch is suggesting lifting any sanctions after what just happened, there needs to be a public dialogue about why, because if they read the same report that I did, there is no way that would be the appropriate response.

But given President Trump's unwillingness to accept the reality of the Russian interference in our election, given the closeness of several leading members of the President's Cabinet to Russia, and given the recent resignation of our National Security Adviser over his dealings with Russia, I feel it is imperative that the American people get all the facts.

Should we be lifting sanctions against a country our intelligence community tells us intentionally, and in multiple ways, tried to interfere with our elections and, ultimately, get the person they wanted elected? Or should we be doing even more to guarantee the sovereignty of our country and the integrity of our elections in every possible way?

Currently, the House and Senate Intelligence Committees are investigating Russian interference with our elections, and I applaud them for taking the issue so seriously. Personally, I would love to see an outside, nonpartisan, independent review as well.

However, we need to take this right to the people. The classified report about election interference by the Russians could, in my opinion, with appropriate protections, be declassified so that the American people could see it for themselves.

Mr. President, I request you ask for that report to be fully declassified. If your administration's assertions are correct, let the American people see it. Let the truth come out.

But my guess is, when they see the totality of the report, there will be a lot of explaining for this administration to do, both about our response to Russia and how we protect our elections in the future.

It is really that simple. Let the people decide. Declassify the report.

HONORING BROOKHAVEN NATIONAL LABORATORY ON ITS 70TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ZELDIN) for 5 minutes.

Mr. ZELDIN. Mr. Speaker, I rise today to honor Brookhaven National Laboratory on its 70th anniversary.

The United States is the greatest Nation in the world, and one of the reasons why is Brookhaven National Laboratory. Their science research is aggressively pursuing cures to illnesses, protecting our national security, and increasing our energy independence.

Imagine being able to witness a recreation of the very beginning of our universe, a replica of the primordial soup which once comprised all that had existed right before your very eyes. Also imagine that this very same equipment could be used to find cures to illnesses such as cancer and heart disease.

I am proud that Brookhaven National Laboratory is located in the greatest congressional district in America, the First Congressional District of New York.

For nearly three-quarters of a century, Brookhaven has stood as a world-class research center that conducts groundbreaking studies within the scientific community. Brookhaven asks the big questions that scientists have been researching for generations, and has allowed us to look into the building blocks of our world.

Between preservation of our ecosystem, studies on the environment, and researching new forms of sustainable energy, Brookhaven is a world leader in scientific research.

There is also incredible cultural and historical relevance of the site of Brookhaven National Laboratory. There was once a World War I Army training center called Camp Upton located where Brookhaven stands today. It was at this camp that Irving Berlin wrote ''God Bless America'' while serving in the U.S. Army.

Brookhaven is not only a local and regional treasure, but also a national asset. The machines in Brookhaven have been utilized by the most brilliant minds in America, from the scientists of MIT and Yale to the engineers at GE and IBM.

While there are 17 national labs across our great country, Brookhaven is a unique user facility which focuses in a number of disciplines, not limited to particle physics, chemical engineering, and systems engineering and integration.

In previous Congresses, critical funding has been provided in support of the ARPA-E program for several of Brookhaven's phenomenal projects on energy production and storage, and so much more.

There has been discussion in the past to cut funding for Brookhaven's nuclear physics program to levels that haven't been seen since 2008. This would be a mistake.

Brookhaven features some of the most important scientific efforts in the world, with assets like the National Synchrotron Light Source II, or NSLS-II. NSLS-II has allowed for incredible advancement in the research and development of super conductors, which have the potential to revolutionize energy consumption in the U.S. and save into the billions for the American people and American businesses.

Another program in need of our continued support is the Relativistic Heavy Ion Collider, or RHIC. This multi-faceted machine is essential for studies on matter and has key practical applications, like figuring out

how to best protect our homeland using detector technology.

There is also the Brookhaven Linac Isotope Producer, or BLIP, which has been recently upgraded to advance the field of medical science. This upgrade allows BLIP to better diagnose and treat illnesses, including heart disease and many forms of cancer, such as leukemia and melanoma.

With Congress' continued support, there is limitless potential for needed discovery and advancement.

I thank the Speaker for allowing me to discuss this amazing national treasure. I also thank Doon Gibbs, who is the lab director, for his outstanding leadership at this facility.

It is a privilege to stand here on the floor of the U.S. House of Representatives to speak on behalf of America's great scientists and their vital work.

Congratulations again to Brookhaven National Laboratory on 70 years of groundbreaking, innovative research.

And to everyone at home, Happy Valentine's Day.

HONORING THE LIFE OF JOE WILLIAMS

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

Mr. COSTA. Mr. Speaker, I rise today to honor the life of a loving family man, a great friend, a veteran, a civil rights leader, and former Fresno City Council member, Joe Williams.

Joe passed away last week at the age of 79. He was a loving husband, father, and grandfather. He dedicated much of his life to public service.

No matter whether you were a good friend or you hardly knew Joe, he had a way of making everyone feel important and special.

In 1968, he started a 26-year career at the Fresno Economic Opportunities Commission. After 2 years of serving as the director of the Fresno County Head Start, Joe was promoted to serve as the executive director for Fresno EOC. During his tenure at the Fresno EOC, he established 35 new programs, with a budget starting at $1.8 million, growing it to $37 million.

With the help of over 670 employees in the Fresno EOC, he was able to implement so many important programs, such as the Women, Infants, and Children program, otherwise known as WIC; opened the first rural health clinic in Fresno County; and started Meals on Wheels programs for seniors.

But he didn't stop there. Joe was a doer. He created a sanctuary program for homeless youth, which was established and later named in his honor upon Joe's retirement. Under his leadership, the Fresno EOC became a model for similar programs around the Nation, one of the truly outstanding leaders in terms of community action agencies in the country. Joe made that happen.

In 1977, he became the first African American elected to the Fresno City Council. He served two terms and was always an advocate for what was best for the entire city. He said: You know, you've got to feel it in your gut; and if it's there, you do it.

He was a civil rights leader in our San Joaquin Valley and throughout the State and the Nation, encouraging others to do the right thing.

My thoughts and prayers are with Joe's wife, Laura; their children, Michael and his wife, Sonya, Winston, and Terri; his brother, George; his grandchildren, great-grandchildren, and numerous nieces and nephews.

My colleagues, I ask you to join me in paying tribute to the life and times of Joe Williams. He will be remembered in a selfless way in which he lived his life, always looking to help those in the community who needed help.

As Emerson once said: ''To have a friend is first to be a friend.''

Thank you, Joe, for being my friend and being the friend of our community. I join his family in honoring his life and love and service to our country, and he will be greatly missed.

FLOODING CONDITIONS IN CALIFORNIA

Mr. COSTA. Mr. Speaker, I rise to speak about the flood conditions in California. It is either feast or famine. We either had the last 6 years of some of the driest conditions we have experienced in over 1,000 or, in the last 2 months, record rain and snow in the mountains and, thus, floods that we are experiencing.

This last weekend I joined on an official tour of Merced County with Sheriff Warnke. In Le Grand, this weekend we had 25 homes in my district that were evacuated.

I commend the collaboration between the Merced County officials, the California Office of Emergency Services, and FEMA for rightly declaring a state of emergency for the flooding that is happening and may continue with new storms coming.

My thoughts are with the people in Butte, and Sutter and Yuba Counties. The emergency spillway that could be compromised at Oroville Dam is something that we are all concerned about; 200,000 people, as we know, have been evacuated from their homes.

That is why I joined Congressman GARAMENDI and my colleagues in sending a letter to President Trump requesting, as the government has asked, a Major Disaster Declaration under the Stafford Act. A Major Disaster Declaration will provide greater collaboration among local, State, and Federal governments, and will provide immediate resources where they are most needed.

Additionally, we must invest in California's infrastructure needs. Its water infrastructure needs to fix a broken water system. The President has proposed a significant massive infrastructure program, $1 trillion. That could be used not only in California, but throughout the entire country.

We need additional water storage in order to prevent devastating flood conditions as we are having now, and also to store that water so we can have it during the dry conditions. So two things go hand in hand.

There are another series of storms expected later this week, and we still have about 2 months left of our winter season. Therefore, we need all hands on deck. We are using every tool available to reduce the potential flood and damage and accidents that are there, but we must invest to fix this broken water system.

The President's proposal will allow us to provide additional surface storage supply to not only protect against flooding, but also to store that water so that when we have the dry periods in California, we can use that water for our crops and for the people who need it the most.

□ 1030

HISTORIC BRISTOL BOROUGH, PENNSYLVANIA

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to speak about Bristol Borough, Pennsylvania, a picturesque town in my district situated along the Delaware River midway between Philadelphia and New York. Since 1824, Bristol Borough has embraced the motto ''Welcome Friend'' after a sign greeted Marquis de Lafayette on his ''Farewell Tour of America.'' Bristol Borough continues to welcome newcomers to an incredibly caring community of residents and leaders pushing the town into the future.

Bristol Borough's history closely parallels the economic, commercial, and industrial history of the United States. In the late 1960s, U.S. Steel Corporation closed their facilities just up the road, and thousands of employees lost their jobs. In turn, downtown Bristol Borough lost an incredible amount of traffic. But what the people did not lose was their passionate desire to improve their town, restoring its former glory with an eye to an even brighter future.

Mr. Speaker, the people of Bristol Borough are tough, resilient, and they have grit. Small-business owners in downtown Bristol are revitalizing their town, and they have been noticed. As a finalist in the nationwide Small Business Revolution, Bristol Borough shines a spotlight on the vital impact small businesses have on our economy, our communities, and our daily lives.

As a member of the House Committee on Small Business, I pledge my commitment to pursue policies that protect and foster these small businesses and that make Bucks County truly a great place to live.

OPIOID EPIDEMIC

Mr. FITZPATRICK. Mr. Speaker, heroin and prescription opioid abuse are devastating communities across

our Nation. From Levittown to Lower Salford, no part of my district is left unaffected by this epidemic. Last year in Bucks County, opioid-related deaths rose by 50 percent. In Montgomery County, opioid overdoses claimed a staggering 240 lives.

Mr. Speaker, every fatality represents a family crushed by the overwhelming loss of a loved one. As lawmakers, we have the responsibility to act. Passage of the Comprehensive Addiction and Recovery Act and the 21st Century Cures Act were monumental first steps in countering the opioid crisis, but we must continue to press the issue from all sides, from the trafficking of narcotics across our border to preventing the overprescribing of painkillers.

Congress alone cannot solve this problem. We must be ready and willing to work with State and local leaders, law enforcement, healthcare professionals, and educators in our districts. We are all stakeholders in this challenge. Together, we can eradicate this epidemic, we can protect our families, and we can free our communities from this menace.

AFFORDABLE CARE ACT

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

Mr. HECK. Mr. Speaker, it may be Valentine's Day, but I rise today to share a story of a Christmas miracle.

Now, this is little Gracie, and she was born on Christmas Day in 2015. Unfortunately, not too long after she was born, she was diagnosed with a respiratory virus. It is a very bad thing for little people because they have little lungs and little respiratory airways. Frankly, it can be extremely dangerous.

To make matters worse, she was snowed in at the hospital where she was born. She had to spend 5 days at the NICU before they could transport her to a children's hospital. When she finally did arrive at Seattle Children's Hospital, she had pneumonia, E. coli, and a collapsed lung. But, fortunately, little Gracie is a fighter, as was her medical team, and she made a complete and full recovery.

With coverage through Medicaid, her parents were able to focus on her care and her future. The financial stress of hospital bills that come with intensive care, a cardiac catheter, a life flight, and numerous medications was daunting, but it was not devastating.

Gracie's story is just one example of the difference Medicaid expansion through the ACA has made for millions of children throughout our Nation.

Mr. Speaker, when I am home, I hear these stories all day long about how the ACA has made a real difference in the lives of people. The ACA in my State expanded coverage to more than 750,000 people. In fact, this January, we hit record enrollment of 225,000 sign-ups. That is a 13 percent jump from last year.

The ACA is working for many people across America; but let's be honest: we have also heard the other stories from people who aren't seeing these gains. Instead, they are seeing higher premiums and increased medical costs in general, with little improvement in coverage. Those are legitimate concerns that Congress needs to address.

But whenever Congress makes major changes, such as Social Security or Medicare, or enacts big ideas, there will always be unexpected results in parts of the program that don't function as anticipated or designed. Our job is to follow up, see what works, and adapt accordingly going forward. Even the best laws are going to require some adjustment.

Let's do that. Let's do it the smart way, the American way, and work together to fix the parts of the ACA that need fixing while maintaining that which works. Repeal and replace is not the answer. It is not the answer. Working together to fix it is the answer.

As we continue—or begin—to work together, I hope we will remember Gracie and know that health care is not a miracle. Health care is the result of hardworking doctors, nurses, and healthcare professionals and a financially viable healthcare system and our actions here to support that in Congress.

We all come here for lots of reasons: philosophy, values, and ideology. We come here to represent our districts and their major components. I have the privilege to represent Joint Base Lewis-McChord, the largest force projection base on the West Coast, and many thousands of State employees—I have the State capital—who work every day to elevate the human condition of their friends and neighbors. We come here to represent the 672,554 people of our districts.

Mostly, I hope, however, that we come here to represent the Gracies of our districts. What I believe deep in my soul is that, if we will keep Gracie and the Gracies of our district in our hearts and foremost in our minds, if we keep them as our touchstone and our North Star, then America is going to be all right. I plead with you to do just that.

CELEBRATING 100 YEARS OF SAVANNAH'S NAACP

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to celebrate the 100th anniversary of the NAACP's Savannah branch. In July of 1917, James Weldon Johnson, field secretary of the NAACP, established Georgia's first NAACP branch in Savannah with 68 original members.

Similar to other NAACP branches, the Savannah branch pursues political, educational, social, and economic equality of minority groups and citizens. For the last 100 years, Savannah's NAACP branch has fought to eradicate racial hatred and discrimination in the community. Its first meeting of 2017 was held on January 22 at St. Paul Christian Methodist Episcopal Church to install new officers and leadership.

I am proud to recognize today the branch's new officials, including President Al Scott, Vice Presidents W. Richard Shinhoster, Lynette Hymes, Barbara Magwood, Secretary Linda Carter, and Treasurer Joe Lang. I am confident in this leadership's ability to continue to uphold the values of the NAACP and help Savannah serve as an example to the nearly 75 NAACP branches Georgia has today.

REMEMBERING STETSON BENNETT, JR.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember a lifelong public servant, Mr. Stetson Bennett, Jr., of Jesup, Georgia, who passed away on Thursday, February 9, 2017, at 87 years old.

Mr. Bennett was born in 1929 to Reverend Stetson Bennett, Sr., and Irene Bennett in Wayne County. He graduated from Jesup High School in 1947, before attending Auburn University. Around this time, he also married his wife, Patsy Jones. They were married for more than 69 years.

Mr. Bennett first entered public service in 1949, as chief deputy clerk. By 1965, he was elected clerk of superior court and served nearly 50 years. Recognized by the Georgia House of Representatives as the longest serving constitutional officer in Georgia, Mr. Bennett has received a number of honors throughout his career.

His dedicated service earned him Clerk of the Year Award in 1985, the highest honor a clerk can receive. Fittingly, the award is now named in honor of Mr. Bennett. Perhaps his proudest achievement was when the citizens of Wayne County officially named the main courtroom the Stetson Bennett, Jr. Courtroom in honor of his years of service to the community he loved.

In addition, he served as the president of the Wayne County Chamber of Commerce, was an active member of the Lions Club, and helped develop Wayne Memorial Hospital as a member of its board.

Mr. Bennett was always proud of where he came from, which was clear from how selflessly he dedicated his life to Wayne County. He truly will be missed.

PRAYERS FOR LEIGH RYAN

Mr. CARTER of Georgia. Mr. Speaker, I rise today to ask for your thoughts and prayers for Mrs. Leigh Ryan, a Tybee Island mother of two who is battling an aggressive form of cancer.

Originally from Roberta, Georgia, Mrs. Ryan settled on Tybee Island 20 years ago to work as a nurse at Memorial University Medical Center. Since arriving on Tybee Island, giving back to the community has been a top priority for Mrs. Ryan, who is a member of Junior League and often works with the homeless in the area.

She was originally diagnosed with breast cancer in the fall of 2015, but through treatment, Mrs. Ryan believed herself to be cancer free. Unfortunately, around Thanksgiving of 2016, doctors told her the cancer was back.

With Mrs. Ryan's twin 8-year-old daughters in mind, a close friend began fundraising to help care for Mrs. Ryan's children as she continues her treatment. The community returned the kindness she showed them and raised more than $40,000 for Mrs. Ryan in the first week of collecting donations.

It is inspiring to see a community come together to help someone in need, especially someone who has already done so much for the community. Please keep Mrs. Ryan, her daughters, and the generous community of Tybee Island in your thoughts.

REMEMBERING MR. WILMER RANDELL KICKLIGHTER

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of my dear friend, Mr. Randell Kicklighter, who passed away on Saturday, February 11, at the age of 74.

Randell, as he was known to his family and friends, was an icon in the Garden City, Georgia, community. He spent his life helping others, sharing wisdom, and brightening people's days.

At the age of 18, he met the love of his life, Bessie. Ten months after the couple met, they ran away and married. Randell went on to serve 2 years in the United States Army, making sure to always have Bessie by his side. During this period, the couple spent time in both the U.S. and Germany serving our Nation.

When Randell returned from duty, he decided to go to beauty school and become a hairdresser, which would allow him to work beside Bessie every day. They opened a salon called Randell and Dean's, which quickly gained a reputation around Garden City. Clients would say you could not expect a quick trim because long conversations with Randell were a must. I can attest to this firsthand. You see, Randell kept my hair for over 37 years. Many times it was just he and I together, and he was truly one of my best friends.

However, Randell worked harder than nearly anyone around. He never retired and worked until the last day in his salon. Each day after work, Randell would head to the gym to exercise. Even there, he continued his hard work and long conversations.

In the 1960s, Randell won many power lifting competitions. Then, at the age of 61, he competed and won national bodybuilding competitions. Even at the gym, Randell was talking to people about his children and grandchildren and sharing tips about exercise.

Randell was one of my best friends, and I will miss him, as will everyone who had the honor of knowing him.

OUR CRUMBLING NATIONAL INFRASTRUCTURE

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

Mr. DEFAZIO. Mr. Speaker, candidate Trump talked a lot about the need to invest $1 trillion in our crumbling infrastructure, and President Trump, on Inauguration Day, referenced again the need to invest in our infrastructure. There has been little progress since that point and no major proposals.

Last week, I talked about surface transportation. I am running a clock on the costs to the American economy and the American people of not investing in roads, bridges, highways, and transit. That clock started at noon on the 20th of Inauguration Day, and it is now up to $11 billion. That is the cost to the American people, to the economy, of not investing.

This week we have seen a dramatic new example in a different area of infrastructure of the costs of not investing: the evacuation of 130,000 people below the Oroville Dam in California. This shouldn't be happening. Federal and State officials warned that the dam didn't meet current safety standards in 2005, yet no investments and no improvements were made.

I wish this were an isolated example. Unfortunately, 96 percent of the dams in America are owned by State, local, and private entities, and many are in need of upgrades or a complete overhaul. Fifty years is the estimated lifetime of a dam. There are 50,000 dams that are past that lifetime, and some of them are safety critical, that is, if they fail, people will die.

□ 1045

The American Society of Civil Engineers gives us a D. They say by 2020, 70 percent of our dams will be over 50 years old. There are 2,000 that are classified as a high hazard today—those whose failure, by definition, or misoperation will probably cause loss of human life.

We need about $53 billion to repair these dams. That is a lot of money, but think of what a life is worth. Think of the cost of the damage that is caused when these dams fail. Most everybody downstream has Federal flood insurance.

Instead of the Federal Government partnering and working with communities and States to improve these dams and prevent a disaster, until last year, the only program we had was one to mitigate after the disaster. But luckily, we moved forward last year in the Water Resources Development Act with an amendment offered by our colleague Mr. MALONEY that would authorize repair and rehabilitation of non-Federal dams and provide proactive maintenance and repair.

Obviously, it is much more cost-effective than waiting until failure and then mitigate the property loss downstream and declare an emergency to rebuild the dam. We will have the sad loss of life when we don't make those investments.

There are many examples that I could cite. A dam failure in Hawaii killed seven people. It had never been inspected. It was a 100-year-old dam. In 2 weeks, we will mark the 35th anniversary of the Buffalo Creek Dam failure in West Virginia. It killed 125 people, 1,100 were severely injured, and 4,000 people were homeless. The dam had received safety violations, but there was no follow-up.

So, this is another aspect of infrastructure in America that needs investment. President Trump was pretty much spot on with his estimate of a trillion dollars. If you look at surface transportation—roads, bridges, highways, and transit—if you look at infrastructure for water treatment—think Detroit—or if you look at the thousands of communities that need to upgrade or rebuild their sewer facilities and other aspects of infrastructure, a trillion dollars would just about do it.

If we made those investments, we would put hundreds of thousands of people to work in this country, make America more efficient and more competitive in the world economy. But many of my Republican colleagues on the other side of the aisle think that we shouldn't be making these investments publicly. They classify any kind of spending as a deficit, even if it is a capital investment that will last for a hundred years or a capital investment that will save lives and mitigate losses for the Federal Emergency Management Agency and the National Flood Insurance Program.

It is penny wise and pound foolish not to make these investments. We can and should. We need to move forward and rebuild our country.

BRING HADAR HOME

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

Mr. MAST. Mr. Speaker, I rise today to share the story of Hadar Goldin.

Hadar was born in the Galilee region of Israel in 1991. He was a gifted young man—a happy person with a lively personality. He was an accomplished painter and, I am told, an inspiration to everybody that knew him. He served as a lieutenant in the Givati Brigade of the IDF.

Mr. Speaker, I did not know Hadar personally, but, during my time serving alongside the IDF, I knew so many who were just like him. I met some of the most humble and compassionate people that I have ever known. I chose to serve alongside the IDF because our friends in Israel fight for the same values that we fight to protect in our country: human dignity, freedom, and liberty.

I can tell you from experience that we soldiers often label our uniforms with sentiments that are important to us. Hadar had his rifle belt embroidered

with the words ''strength and humility.'' He fought not out of hatred for his enemy but to protect his homeland and his family. He used the embroidery as a reminder that a soldier has the courage to use his weapon when needed, but even more importantly, has the humility to restrain from its use in the name of peace.

But on August 1, 2014, when Hadar was only 23 years old, he was killed by Hamas terrorists, just 2 hours after a ceasefire had been declared in the Operation Protective Edge war in Gaza. Hamas terrorists maliciously dragged his body away from his home and into an underground tunnel. They stripped and left his clothing and have held his corpse ever since.

Americans are no strangers to the term ''missing in action,'' as we still have, shamefully, thousands unaccounted for in Southeast Asia. This is a painful and uncertain future that no family deserves. This should never, ever be condoned.

Last week, I had the opportunity to meet with Hadar's family. They are unable to give their son the proper burial because Hamas is holding his body hostage.

Mr. Speaker, we know that Hamas does not value human life. They seek to destroy all that Israel and the United States hold dear. Even the last administration called for the condemning of this action in the strongest possible terms. They called it barbaric. We must now enter into a new chapter—one where we support our Israeli allies and stand side by side with them in the fight for freedom.

This was a ceasefire that Israel entered into at the urging of former Secretary of State John Kerry and the United Nations. They should bear some responsibility for ensuring his body is returned home.

Mr. Speaker, I urge the United Nations to step up for what is right. Show some spine, show some resolve, and stand against Hamas. Do not be a rug that Palestinians trounce across as they shop the United Nations to fulfill their agenda while never being held accountable for their acts of terrorism and their acts against basic human dignity.

I urge the new administration to take the necessary steps to help bring Hadar home and ensure his family can finally give him a proper burial—the kind of burial that every soldier, regardless of their uniform, deserves.

ACA STORY

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

Mr. KEATING. Mr. Speaker, this beautiful child is Charlie.

Charlie is an infant from Westport, Massachusetts. Charlie's dad has a green card and his mom is an American citizen.

Charlie's mom wrote me to share their family's Affordable Care Act story, an important one, yet, in many respects, not that uncommon.

When Charlie was born, his mother had to postpone her Ph.D. ambitions because she needed a full-time job to support her family. Although she has two master's degrees, she is working over 40 hours per week in a restaurant. That restaurant doesn't offer benefits, so Charlie's mom has to purchase her own health insurance policy for her family. The Affordable Care Act has helped them find the health plan they need at a price they can afford. Charlie's family got covered.

Charlie's mom also wrote me to tell me that, on January 21, she came to Washington and marched with women from around the world because of the fact that all families like hers should have health care, for all children like Charlie who need health care, and because she believes Americans should want all their neighbors to be healthy.

I agree with Charlie's mom. We should all have access to essential healthcare services. This is a family working to make it on their own, not seeking transitional assistance from the government, sacrificing to move their family forward, striving to succeed, to earn the American Dream. The Affordable Care Act provides them this opportunity.

IN RECOGNITION OF MOREHOUSE COLLEGE'S 150TH ANNIVERSARY

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

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to rise today to recognize my alma mater, Morehouse College in Atlanta, Georgia, as it celebrates 150 years of educating, training, and empowering outstanding leaders.

The year-long sesquicentennial celebration began in January 2017, and will include many events for students, faculty, staff, administrators, donors, families, and friends of Morehouse College. The theme of the celebration is ''A House United,'' which highlights Morehouse's position as a unifying force around the globe and here at home.

Tracing its roots back to the Reconstruction era after the Civil War, Morehouse was founded in 1867, as the Augusta Theological Institute in Augusta, Georgia. The school was founded by Reverend William Jefferson White, with the encouragement of Reverend Richard Coulter and Reverend Edmund Turney. It aimed to prepare Black men for ministry and teaching.

In 1879, the Augusta Theological Institute moved to the basement of the Friendship Baptist Church in Atlanta and was renamed the Atlanta Baptist Seminary. In 1885, the institution relocated to its current site in Atlanta's West End community. The seminary became a liberal arts college and was subsequently renamed the Atlanta Baptist College.

During these early years in Morehouse's history, the institution expanded its curriculum and established the tradition of educating leaders for all areas of life. In 1913, Atlanta Baptist College was renamed Morehouse College after the corresponding secretary of the Northern Baptist Home Mission Society, Henry L. Morehouse.

Throughout its 150-year history, Morehouse College has made a significant mark on our State, our Nation, and the world. Here, many notable men gained the knowledge and training that enabled them to become some of the greatest influences of our time, including Dr. Martin Luther King, Jr.; noted theologian Dr. Howard Thurman; civil rights leader Julian Bond; filmmaker Shelton ''Spike'' Lee; Olympic gold medalist Edwin Moses; CEO of the Silicon Valley Community Foundation, Emmitt Carson; and many more.

Morehouse principles often instill a desire for public service to benefit mankind. In the United States Congress, Representative CEDRIC RICHMOND, chairman of the Congressional Black Caucus, as well as many staff members and former Members of Congress, hold degrees from Morehouse.

U.S. Presidents have relied on alumni such as former Secretary of Homeland Security Jeh Johnson, former Secretary of Health and Human Services Dr. Louis Sullivan, former Surgeon General Dr. Daniel Satcher, and former U.S. Ambassador to the United Nations James Nabrit, Jr.

Around the country, State and local governments have been led by alumni such as Maynard H. Jackson, the first African-American mayor of Atlanta, Georgia.

As a 1968 graduate of Morehouse College, this one-of-a-kind institution has a special place in my heart. During my matriculation, I got to know on a personal level the late Dr. Benjamin E. Mays, the most renowned president of Morehouse, who was a mentor to Dr. Martin Luther King, Jr. Through him, I met Dr. King during his life, followed him in protest marches, and sang at his funeral, which was held on the campus and attended by many national and international luminaries.

Today, under the leadership of the 11th president of Morehouse College, Dr. John Silvanus Wilson, Jr., also an alumnus, the school continues to be consistently ranked as one of the top colleges in the Nation and among the highest respected Historically Black Colleges and Universities. As the Nation's largest liberal arts college for men, Morehouse has conferred more bachelor's degrees on Black men than any other institution in the world.

□ 1100

Mr. Speaker, today I ask my colleagues to join me in recognizing Morehouse College for 150 years of preparing young men to aspire to unique and distinctive goals while leading lives of leadership and service. This institution

was born out of the death of slavery in America. It guided young Black men through the era of segregation in the South, and it continues to empower marginalized populations against the oppression still prevalent in the world today. It is my hope that the generations of Morehouse Men of today and tomorrow will continue the progress and continue to leave their marks on our Nation and the world.

PRESIDENT TRUMP SHOWS WORLD WHAT A DISASTER LOOKS LIKE

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, standing before almost entirely White crowds in North Carolina, Michigan, Virginia, and Ohio, candidate Donald Trump painted a bleak picture of African-American life in 2016, full of crime, high poverty, and failing schools. He went on to say, ''It is a disaster the way African Americans are living,'' and asked, ''What the hell do you have to lose?''

In just 3 short weeks, Mr. Speaker, President Trump has shown the world exactly what a disaster looks like. He has put a White supremacist in the White House as his chief political adviser. He has given us an Attorney General who spent the last 30-plus years working against civil and voting rights. He has appointed a shamefully ill-prepared Secretary of Education whose only qualification seems to be her ability to contribute millions to Republic candidates in what can only be described as the textbook definition of pay to play.

Candidate Trump promised to be the hero of working people, but President Trump is doing the exact opposite. His actions tell a lot more than his tweets. His Cabinet is full of millionaires, many with ethical challenges and conflicts of interest. He has already raised the cost of mortgages for many Americans. He is proposing that we abandon the overtime rule that would ensure bigger paychecks for working people. He is working to dismantle Wall Street reform and is proposing a border tax that would give corporations a huge tax break while costing working men and women more on groceries, clothes, and other goods.

The policies of the Trump administration are an extension of the policies that Republics in the House have pushed for years. To candidate Trump's question what do you have to lose, for starters, your voice at the ballot box. A free and fair election is the hallmark of democratic governance, yet the Trump administration and Republics in Congress continue to threaten this basic pillar of democracy. They have promulgated blatant falsehoods about voter fraud, sowing fear and distrust. They have worked and are working across the country to prevent people of color from voting. They are refusing to investigate Russian interference in our elections and are currently moving legislation through the House of Representatives to eliminate the only Federal agency tasked with helping Americans vote and protecting our voting machines from hacking.

As President Trump and his spokespeople continue to make demonstrably false claims about widespread voter fraud and cozying up to the country that attacked our democracy, House Republics just passed out of committee H.R. 634, legislation to eliminate the only Federal agency tasked with certifying the security of our voting machines, the Election Assistance Commission.

Forty-seven out of fifty States rely on the EAC's voting machine certification program in some capacity. A recent report by the Institute for Critical Infrastructure Technology concluded, ''Voting machines are neither secure nor complex. In general, these stripped-down computers utilizing outdated operating systems possess virtually every conceivable vulnerability that a device can have.''

In my home State of South Carolina, we currently use voting machines that were rejected by the State of Ohio in 2007 for being ''buggy, unstable and exploitable.'' And even though machines are not supposed to be connected to the internet, they are well past their shelf life and, therefore, more likely to break down, crash, and produce errors. Replacing these outdated machines with updated ones will cost a significant amount of money, and the burden is on the States to do so.

Mr. Speaker, if House Republics are serious about election integrity, they ought to stop working to prevent people of color and start investing in voting infrastructure.

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 11 o'clock and 6 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at noon.

PRAYER

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

Loving God, we give You thanks for giving us another day. Our fervent prayer, O God, is that people will learn to live together in reconciliation and respect, so that the terrors of war, and of dictatorial abuse, will be no more.

Guide our hearts and minds, that every person of every place and background might focus on Your great gift of life, and so learn to live in unity.

May Your special blessings be upon the Members of this assembly in the important, sometimes difficult, work they do. Give them wisdom and charity, that they might work together for the common good.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. TROTT) come forward and lead the House in the Pledge of Allegiance.

Mr. TROTT 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 PRO TEMPORE

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

PRESIDENT TRUMP'S FIDUCIARY DUTY RULE

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

Mr. WILSON of South Carolina. Mr. Speaker, earlier this month, President Donald Trump released a Presidential memorandum on the fiduciary duty rule, and I am grateful that President Trump has directed the Labor Secretary to thoroughly study this destructive rule.

Under the Obama administration, the Department of Labor released an incomprehensible fiduciary rule that increased the cost of financial planning, reducing retirement advice for American families and destroying jobs.

Families all over America are struggling to save for their retirement, and I applaud the President's swift action to study the harmful effects of this rule. I am confident the study will result in a delay or revision of this ridiculous regulation of 1,023 pages to define a profession.

I will continue to advance legislation calling for a delay of 2 years to give Congress and the administration time to reassess the regulation. I appreciate the positive insight of the National Association of Insurance and Financial Advisers who promoted reforms for

hardworking American families saving for retirement, and creating jobs.

In conclusion, God bless our troops, and may we never forget September the 11th in the global war on terrorism.

PRESIDENT TRUMP'S ATTACKS AGAINST THE CITY OF CHICAGO

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

Mr. QUIGLEY. Mr. Speaker, there are few places that encapsulate all our country has to offer more than my home city of Chicago. The strengths of the Nation can be seen in every corner of my district, where we celebrate diversity, passion, and resilience. This includes our immigrant communities, and I am proud to represent one of the most welcoming cities to those seeking a better life in America.

That is why it is ridiculous to hear the President continue his bizarre barrage of attacks against our great city with his newest and most misguided claim yet, that elevated gun violence in Chicago stems from undocumented immigrants. Not only do his comments do nothing to address the gun violence problem in Chicago, but they are just plain wrong.

Like most major cities, we struggle with violence and encourage constructive assistance. But studies have shown that immigration has no effect on crime rates. In fact, researchers have found immigrants generally have the strongest incentives to avoid activity that will put them in contact with the criminal justice system.

The President should stop attacking the most vulnerable members of our society and, instead, look for pragmatic, commonsense policies to support comprehensive immigration reform and gun violence prevention.

HONORING THE LIFE OF MIKE ILITCH

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

Mr. TROTT. Mr. Speaker, I rise today to recognize the passing of a great American, Mike Ilitch.

Born to Macedonian immigrants on the west side of Detroit, Mike Ilitch became one of the most successful businessmen in the history of our country. From humble beginnings, he built one of the largest food, sports, and entertainment empires of our time. He personified the American Dream, a constant reminder that anyone from anywhere who is willing to work hard and dream big can enjoy the opportunities in America.

However, he was more than an icon. He was a pillar of our community. During our city's most challenging times, he never turned his back. When so many others gave up on Detroit, he never lost faith in the resilience of the city and the people he loved so much.

All of us who have enjoyed ''pizza-pizza,'' or Redwings hockey, or Tiger baseball, or the Fox Theatre know of Mike Ilitch's success. But what we will miss most is Mr. I's kindness, generosity, and compassion for others.

BIOMETRIC SCANNING AT THE NORTHERN BORDER

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

Mr. HIGGINS of New York. Mr. Speaker, I rise today to express concern about the President's executive order wherein he supports the use of biometric scanning at all northern border crossings, including the crossing between the United States and Canada at Buffalo.

The President's biometric scanning plan would effectively shut down the Peace Bridge, which is the busiest northern border crossing for passenger vehicles, and second for commercial vehicles, thus stopping the movement of traffic and trade, and creating a wall-like effect between the United States and Canadian relations.

Canada is not our enemy. We are friends and trading partners. In my Buffalo district, we border Southern Ontario, the most populated province of all of Canada; and the Peace Bridge moves $30 billion in commerce, representing $230 billion in economic activity, and 1 million jobs.

The biometric scan plan for the northern border is unworkable and an unnecessary barrier between friendship and trade.

HONORING THE LIFE OF ED MOORE

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

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the life of Ed Moore, who was truly a pillar of our community in northern Indiana.

In 1979, Ed founded the Christian radio station, WFRN, which has been a beacon of faith and joy to its family of listeners for nearly 4 decades. I have had the privilege of visiting the WFRN studio many times over the past 5, 6 years. Each time, I saw Ed's passion for serving the Lord and helping listeners strengthen their faith. WFRN has had such a positive impact on so many lives, and Ed's legacy is that it will continue to do so.

In announcing Ed's passing, his family noted they were saddened, yet rejoicing, because Ed is with the Lord.

Mr. Speaker, I join Ed's children, Doug, Steve, and Rachelle, his 11 grandchildren, and the entire WFRN family in mourning Ed's passing, celebrating his life, and rejoicing that today he is with the Lord.

HOUSE REPUBLICANS REFUSE TO INVESTIGATE THE SWAMP

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

Mr. JEFFRIES. Mr. Speaker, the House of Representatives is a separate and coequal branch of government. And yet, House Republicans refuse to investigate the swamp of corruption that is percolating at 1600 Pennsylvania Avenue.

Michael Flynn has resigned in disgrace. And yet, the Trump administration has jeopardized our national security by continuing to play footsie with Vladimir Putin and the Russians. House Republicans have done nothing.

It is impossible to figure out where the Trump family business ends and the White House begins, yet House Republicans have done nothing.

Seventeen different intelligence agencies have concluded that the Russians interfered in the election to help Donald Trump, yet House Republicans have done nothing.

It is time for House Republicans to investigate this White House and stop acting like puppets of the Trump administration. The American people deserve answers. What exactly did Donald Trump know, and when did he know it?

VOTE AGAINST EXECUTIVE OVERREACH

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

Mr. MARCHANT. Mr. Speaker, at the 11th hour, the Obama administration's Labor Department issued a rule that stonewalled bipartisan changes to the unemployment insurance program. These changes were made so that tax dollars would be used in a more efficient and more effective manner.

It has been 5 years since Congress passed legislation giving the States the discretion on drug-testing policy for unemployment applicants. Using delay tactics, the previous administration prevented that law from ever being implemented as designed.

This kind of executive overreach impedes the ability of States to ensure that the unemployment insurance program accomplishes its intended purpose, and that is to promote reemployment.

In Texas, we take the job of fiscal responsibility very seriously. This week, Congress is responding to that overreach by the previous administration. We hope that Congress will take that responsibility very seriously. I urge my colleagues to vote against the executive overreach and to vote for H.J. Res. 42.

INVESTING IN A WORKING GOVERNMENT

(Mr. KRISHNAMOORTHI asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHI. Mr. Speaker, recent executive actions have resulted in confusion, demonstrations, and late-night court rulings. Many executive orders have been announced with little notice, and the American people have had to wait hours afterwards to see the text.

Federal agencies have also been blindsided by these orders. The Secretary of Homeland Security found out about the President's immigration orders through cable news. In some cases, the President himself has been uncertain of what his executive orders contain.

Sir, we need transparency today. Congress has a responsibility to eliminate this confusion and make sure that executive actions are clear and transparent to all Americans.

That is why I am introducing the Executive Order Transparency Act. This one-page bill requires that all executive orders be posted on the White House website 72 hours before each is signed. This simple bill is an investment in a working government, and I urge all my colleagues to join me.

THE MILITARY NEEDS MORE ENLISTED MEN AND WOMEN NOT MORE OFFICERS

(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, in Scott Berg's biography on Woodrow Wilson, it says that, in World War I, we had one officer for ever 30 enlisted men.

President Eisenhower once said we had too many officers when we had one officer for every nine enlisted. Now we have one officer for every 4½ to 5 enlisted. We are almost overrun with retired admirals and generals. This is very expensive.

President Trump wants to greatly expand the numbers in our Armed Forces. If we do, what we need is more enlisted men and women, not more officers.

I started in the Army as enlisted and left as a captain, but we simply can't afford as many officers as we have today. We now have 475,000 retired officers drawing military pensions and 1,500,000 enlisted retirees. These two million military retirees, and those near retirement, should be demanding more fiscal conservatism by the Pentagon, or, in the very near future, we will not be able to pay our military pensions with money that will buy very much.

REAUTHORIZATION OF THE ELECTION ASSISTANCE COMMISSION

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

Mr. CLYBURN. Mr. Speaker, I am proud to cosponsor H.R. 794, which will reauthorize the Election Assistance Commission until 2022, provide payments to the States to upgrade the security of voter registration databases, and require an assessment of each State's voting systems.

Foreign hackers targeted the voter registration databases in more than 20 States in 2016. Candidate Trump encouraged hackers to target his opponent. He won the election and continues to cozy up to Russia.

And now, House Republics are moving to eliminate the EAC, a key force in combating foreign cybersecurity attacks against our democracy.

''What do you have to lose?'' candidate Trump asked. Try free and fair elections, Mr. Speaker.

I urge my Republic colleagues to put country before party and stand up for American democracy. Stop trying to suppress minority voters. Support an independent commission to investigate Russian meddling in our election.

RECOGNIZING THE 150TH BIRTHDAY OF LITTLE RIVER COUNTY, ARKANSAS

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

Mr. WESTERMAN. Mr. Speaker, I rise today to recognize a milestone for Little River County, Arkansas. On March 5, the county will celebrate its 150th birthday.

According to the Encyclopedia of Arkansas, Little River County came into existence following an act of the Arkansas General Assembly, officially separating from Hempstead and Sevier Counties in 1867.

During its century and a half, the citizens of Little River County have shown resilience and innovation as they weathered the Great Depression, sent its men to fight in World War II, and grew the local economy in the years since. In recent years, Little River County has withstood severe flooding, but they have come back strong and resilient.

Little River County is blessed with natural resources, including forestry, agriculture, and minerals that all provide the inputs for manufacturing jobs that play a big role in the local economy, and will continue to do so in Little River's next 150 years.

I am proud to call Little River County part of the Fourth Congressional District, and I congratulate its citizens on 150 years of progress.

□ 1215

RESIGNATION OF MICHAEL FLYNN

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

Mr. DEUTCH. Mr. Speaker, Michael Flynn's resignation does not close the book on the administration's coziness with Russia. It confirms the urgent need for a bipartisan investigation of Russia's ties to the Trump administration and its ongoing influence. It confirms the urgent need for the President to release his tax returns so the American people can see any business ties that the President has to Russia.

We need a full, independent inquiry into not just the actions of Michael Flynn in one conversation with the Vice President, but the ongoing connections between the administration and Russia, because the one thing we know for sure is it doesn't stop there. President Trump's fawning praise of Putin and the previous resignation of other aides over their Russian ties made it clear that this is a problem that goes beyond General Flynn.

What we have learned over the past 24 hours is that colluding with a foreign government or lying to the Vice President and others is not what brought Flynn down. It seems that it was only the disclosure of those lies that made it untenable for Flynn to remain. The White House was apparently okay with everything until the American people found out.

We need to find out what else the White House and President Trump doesn't want us to know about their connection to the foreign power that interfered with our election, and we need to start today.

IT IS THE MEDIA'S CHOICE

(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, the liberal national media have two choices.

First, they can continue their dislike—some would call it hatred—of President Trump that results in severely slanted coverage. This is the road to self-destruction. The media's credibility has hit a record low, and the American people soon will stop looking to them for news.

Or, second, the liberal national media can start covering President Trump objectively. This means not portraying his actions in the worst possible light but sometimes giving President Trump the benefit of the doubt. It means giving his side of the story. It means, most of all, recognizing that President Trump represents the legitimate hopes and fears of millions of Americans.

If the liberal national media continue to treat President Trump unlike they would a Democrat, the public will grow tired of the double standard.

The American people have an innate sense of fairness, which the media should not ignore. For their own sake and for the sake of our democracy, the media should change their ways.

REPEAL WITHOUT REPLACEMENT WOULD BE DEVASTATING

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

Mr. KILDEE. Mr. Speaker, Republicans are moving ahead with the repeal of ObamaCare—but years later, after all the talk, they still have no replacement. Six weeks into control of this Congress and of this government—all branches—there is no plan.

From today's Politico, it reads: ''House conservatives . . . are plotting a major push to repeal the law immediately without simultaneously approving an alternative.''

The consequences of Republican repeal without replacement are devastating: 30 million Americans would lose health coverage. People could be kicked off their coverage. They would not be allowed coverage if they have a preexisting condition. Young people could be kicked off their parents' plans.

In recent weeks, Republicans have been bombarded with messages from their constituents sending a clear message that the Affordable Care Act repeal would be devastating to their family. It would be devastating to real people like Jia Ireland, my constituent, who, before ACA, had no health insurance. Because of Medicaid expansion, she and 600,000 other Michiganders have coverage.

We cannot lose access to health care in this country. We ought not do that.

PRESIDENT TRUMP MUST RELEASE HIS INCOME TAX RETURNS

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

Mr. COHEN. Mr. Speaker, I had a town hall in Memphis on Saturday. We had over 1,000 people there, and over 10,000 people live streamed on Facebook. Many were concerned about Russia's influence with this administration.

Something smells. It would be like a vegan going and talking about how much they were supporting the Beef and Dairy Council, or that Chick-fil-A cow going up and saying: Eat more chicken.

There is something else to it. There is an ulterior motive.

This President's love affair with Russia, his constant support for Russia and Putin—one of the most villainous leaders on the face of this Earth—spells a problem. We need to get to the bottom of it, and one way we will find out is through his taxes.

Mr. Speaker, I urge the President to release his income taxes to the American people. It is so important to us having confidence in his administration and to our government's ability to withstand an evil power, as Ronald Reagan called them.

PROVIDING FOR CONSIDERATION OF H.J. RES. 66, DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO SAVINGS ARRANGEMENTS BY STATES FOR NON-GOVERNMENTAL EMPLOYEES, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 67, DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO SAVINGS ARRANGEMENTS BY QUALIFIED STATE POLITICAL SUBDIVISIONS FOR NON-GOVERNMENTAL EMPLOYEES

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 116 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 116

Resolved, That upon adoption of this resolution it shall be in order to consider in the House any joint resolution specified in section 2 of this resolution. All points of order against consideration of each such joint resolution are waived. Each such joint resolution shall be considered as read. All points of order against provisions in each such joint resolution are waived. The previous question shall be considered as ordered on each such 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 Education and the Workforce; and (2) one motion to recommit.

SEC. 2. The joint resolutions referred to in the first section of this resolution are as follows:

(a) The joint resolution (H.J. Res. 66) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees.

(b) The joint resolution (H.J. Res. 67) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. 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. BYRNE. 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 Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 116 provides for consideration of two joint resolutions designed to protect working families by blocking harmful regulations through the Congressional Review Act process.

In 1974, Congress passed and President Gerald Ford signed the Employee Retirement Income Security Act, or ERISA. This legislation, which has broad and bipartisan support, sets standards for employer-provided retirement plans to protect the workers of the United States of America. This regulatory framework for employer-provided retirement plans has been largely successful at helping working families save for retirement over the last 40 years.

Unfortunately, in the waning days of his administration, President Obama put forward regulations to uproot this system that has worked for decades. The Obama administration's rules would pave the way for government-run IRAs—for bureaucrat-run IRAs—managed by States and certain municipalities. Employees in several States would be forced to automatically enroll in these government- and bureaucrat-run IRAs that are not subject to the important protections established by ERISA.

In other words, in the waning days of the Obama administration, they sought to take back from workers the protections that were given to them when ERISA was passed 40 years ago. Let me say that again. Workers' ERISA protections will be out the window for those people in these government- and bureaucrat-run plans.

These regulations remove important protections for American workers as they relate to their retirement plans. American consumers would be directly hurt by this regulation were it to go forward.

Just as bad, workers would have less control over their retirement savings. Withdrawals or roll-over investments to a private-sector account could be restricted and even penalized.

These regulations would create disincentives for small businesses to offer their retirement plans and invest in their employees' retirement, resulting in fewer options for workers. Instead, smaller employers will likely simply shift their employees on to these government- and bureaucrat-run plans.

These regulations could also create a confusing patchwork of rules that vary State to State or, even worse, city to city. This confusion would directly hurt the consumer.

Another concern with pushing people on to government- and bureaucrat-run retirement plans is that taxpayers would end up footing the bill. We have seen how poorly managed many State and city pension plans have been all over this country. If these government-run IRAs are also mismanaged, taxpayers may be asked to pay and to honor the government's promises.

Ultimately, these regulations are simply another attempt to exert control over the American people with a ''government knows best'' policy.

Mr. Speaker, the American people are not children that need direction from their parents. They should not be forced by the heavy hand of the government and faceless bureaucrats to obtain certain plans the government

likes that they may not need or want. People are free today to decide whether they want their IRAs or not. This will put them in a position where they can be forced to have them whether they want them or not.

We have seen the problems caused when the government tries to tell the American people what to do or what the government thinks is best for them. These types of heavy-handed policies simply do not work and they are counter to the principles our country was founded on.

So these two bills would use the Congressional Review Act process to block these anti-consumer regulations from taking effect. By passing these two bills, we will protect working families, we will support our Nation's small businesses, and we will be shielding the taxpayers from potential liabilities.

As I pointed out last week on this floor, just because we pass these bills using the CRA does not mean we cannot continue working toward solutions that improve our Nation's retirement programs. Just as the CRA gives Congress power to block regulations, the legislative branch can also give agencies further instructions and directions if a regulation is needed at some point in the future.

As a member of the Education and the Workforce Committee, I look forward to working with my colleagues on both sides of the aisle to find solutions to help Americans save for their retirement. Attempting to use the regulatory pen to skate around ERISA and its important protections is just not the right answer.

So I hope my colleagues will join me in supporting this rule and these pro-consumer bills and protect American families, workers, and their retirement plans.

I reserve the balance of my time.

□ 1230

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. Mr. Speaker, I thank the gentleman from Alabama (Mr. BYRNE) for yielding me the customary 30 minutes.

Mr. Speaker, we are less than 2 months into 2017, and today we have another closed rule, or as I call them, ''Putin rules.'' This is how they operate in Russia—no deliberation. It is simply astonishing that here in the people's House we continue to have this closed process: no amendments, no debate, no nothing, completely shut down.

I have very serious concerns about the road we are traveling down. The 115th Congress is only 6 weeks old, and we have already ushered in a process that is alarmingly restrictive. It should distress not just Democrats, but Republicans as well. This is now the norm and is very, very sad.

Mr. Speaker, today's rule would pave the way for the House to repeal two important consumer protections that help working families save for retirement. These protections went through a very lengthy process of review. We are repealing these protections without the committees of jurisdiction having any chance to weigh in and in a rushed process that is completely closed.

These protections, as I said, were reviewed by the relevant agencies; they were subjected to public commentary; and we are bringing them to the floor to repeal them without even giving the committees of jurisdiction an opportunity to actually discuss these bills, to discuss whether this makes sense.

Mr. Speaker, America is facing a retirement savings crisis, and rules like this—I should say, protections like this—are essential to helping workers plan for the future. As of today, 55 million Americans lack access to a way to save for retirement out of their regular paycheck. As a result, nearly half of all workers have no retirement assets. Yet we know that employees are 15 times more likely to save just by having access to a workplace retirement plan. These programs are a commonsense solution for working families and small businesses.

Republicans should be working to strengthen programs like these, not rip them apart. If you have a problem and you want to make a tweak, maybe you ought to work with the agency to make that tweak, but not an outright repeal.

Quite frankly, Mr. Speaker, pushing dangerous bills like this in a closed process with no debate is a lousy way to conduct the people's business. But with the avalanche of alternative facts coming out of the Trump White House every day, it should be no surprise that the House Republican majority on Capitol Hill is carrying on in such a heavy-handed way. God forbid, in the people's House, we should actually deliberate and have debate and have the kind of give-and-take that the American people expect.

Mr. Speaker, as bad as this process is, as bad as dismantling the rules and regulations put in place to protect the savings of working families is, I would like to take a few minutes to talk about something that is very serious and troubling to the American people.

Mr. Speaker, this administration regularly goes on TV and appears before the press—and let me say this as plainly as I can—and consistently spouts falsehoods. Now, I am told, Mr. Speaker, that under the rules and precedents of the House that there are certain things that cannot be said. Mr. Speaker, as a member of the Rules Committee and as somebody who respects the precedents of the House, I am going to be very polite in how I respond here today. I will speak plainly, but politely. I want people to understand that I would like to say things much stronger based on what is happening in this country and based on what is happening in this administration.

Mr. Speaker, I certainly wouldn't want to do anything to hurt anybody's feelings, but it is troubling what is happening, the falsehoods and fabrications that we hear each and every day. Some of it is trivial and some of it is silly, like saying that his inaugural crowd size was bigger than President Obama's. Who cares?

But some are more sinister and more dangerous, like the claim that 3 million to 5 million ''illegal aliens'' voted for his opponent in the 2016 Presidential election. Every fact checker, every Secretary of State, both Republicans and Democrats, say this is absolutely false. There is no basis for this falsehood. It undermines confidence in our political system. My fear is that the real purpose of this claim is to put in place policies to restrict voter rights in order to make it more difficult for people to vote in this country.

Mr. Speaker, every day it feels like President Trump and his White House are trying to set a new record in terms of misinformation. There are so many falsehoods coming out of this White House, it makes me nostalgic for Nixon.

President Trump, in a meeting with U.S. Senators last week, repeated another falsehood, that he only lost New Hampshire because thousands of Massachusetts residents were bussed to the State to vote illegally. This is simply not true. There is no basis for this statement. This is similar to the President's fabrication that 3 million to 5 million votes were cast illegally in the 2016 election. Plain and simple, President Trump and his White House staff continue to provide zero evidence to back up their claims of voter fraud.

On Sunday, when top White House aide Stephen Miller was asked about the judiciary challenging President Trump's unconstitutional Muslim ban, he aggressively attacked critics and said that ''the powers of the President to protect our country are very substantial and will not be questioned.'' The powers of the President will not be questioned. I couldn't believe my ears when I heard that.

President Trump might talk a lot about his love for Vladimir Putin, but this is not Russia. This is the United States of America. We have checks and balances to stop authoritarianism. Kellyanne Conway, when she is not giving free commercials for the Trump family business on the taxpayers's dime, is making up stories about the Bowling Green massacre, a terrorist attack which never happened, and spouting alternative facts on a daily basis. The latest falsehood from the Trump White House is one of the most serious yet.

In repeated interviews, both Vice President MIKE PENCE and National Security Adviser Michael Flynn—I should be saying now, former National Security Adviser Michael Flynn—said that Flynn did not speak with Russian officials about U.S. sanctions before President Trump took office. A new report shows that that is blatantly false.

After the U.S. intelligence community overwhelmingly agreed that Russia had actively meddled in our 2016 Presidential election to tip the result in favor of Donald Trump, President Obama announced strong sanctions against Russia, including expelling 35 Russian diplomats or agents from U.S. soil. When Vladimir Putin responded by saying that they would not expel any U.S. officials in Russia—what many expected he would not do—a lot of red flags were raised. A new report now shows that, in the 24 hours that followed, Michael Flynn communicated with Russian Government officials about the sanctions and may have actively undermined U.S. foreign policy weeks before Donald Trump even took the oath of office. And now we know that last month the Justice Department informed the White House of Flynn's deception of the Vice President and of the American people in the days immediately following the inauguration.

Mr. Speaker, this is outrageous, and the fact that President Trump did not immediately fire Michael Flynn as soon as this came to light is stunning. I guess he was too concerned about crowd size rather than a deeply compromised national security adviser.

Mr. Speaker, getting rid of Flynn is not enough. President Trump must stop the blatant and dangerous falsehoods coming from his White House. We need a full and independent and bipartisan investigation not only under the purview of the intelligence committees; we need to have a full investigation out in the open so the American people actually know what happened and know how many others were involved in Flynn's undermining of our national security.

Who knew what when?

Was Donald Trump aware of these unauthorized talks with Russia while President Obama was enforcing sanctions?

The American people deserve the truth. They deserve transparency. They deserve this Congress to actually do proper oversight.

One of the most troubling parts of all this is that the American people would have been completely in the dark if it were not for the hardworking journalists and patriotic U.S. officials who helped bring this outrageous scandal to light. Now, more than ever, we need to support freedom of the press, to hold President Trump and his White House accountable.

The Republicans in Congress need to start doing their job by exercising the strong oversight needed. President Trump needs to know that he answers to the American people and he and no President is above the law.

Mr. Speaker, America's hardworking families deserve a Congress that puts them first and a President and a White House that tells the truth instead of spreading falsehoods to stir up fear and advance a dangerous and extreme agenda. We can have policy disagreements, but you have to tell the truth. You can't just make stuff up.

As we are seeing with this administration, alternative facts are contagious. The White House is rapidly losing the public's trust, and every day that Congress fails to hold the Trump White House accountable, we are losing the public's trust as well.

Members of Congress, both Democrats and Republicans, have a responsibility to stand up for the truth and hold the President and his White House accountable. We are here to serve the American people, and they need to know that we are fighting for them, not serving as a rubber stamp for this administration.

I urge my colleagues to vote against this rule, and I reserve the balance of my time.

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

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

I appreciate the gentleman from Massachusetts' remarks. We are not here today to talk about Russia, but I do remember about a month ago when we were on this floor counting electoral college votes, my colleague from Massachusetts objected to the Electoral College votes from my home State of Alabama because of Russian interference.

I want to put his mind at rest. As a Representative of Alabama, I think I can say with complete confidence that the Russians had no influence over the Presidential vote in the State of Alabama last November. We get our electoral information like most people in America do: from watching FOX News or something like that.

But in the fall, in Alabama, we are also paying real close attention to college football. So far from letting Russian influence have anything to do with our vote in Alabama, we were doing what most people in America were doing and paying close attention to college football. We gave no more credence to what the Russians think about our political votes in Alabama than we do to what they think about our college football teams.

But let's get back to the substance of his remarks. He says that there is no debate. This rule provides for at least 2 hours of debate, perhaps more if we get into motions to recommit. And the truth of the matter is, under the Congressional Review Act, the actual form of these laws are prescribed by statute. We have no control over what can be in them. We can either vote for them or against them. And we are going to have clear debate—over 2 hours, maybe more—whether we are going to vote for or against it.

There are people who are going to vote for them, and there are people who are going to vote against them, and people are going to have reasons for doing each. That is standard order here in the House. I think the American people would agree, on these sorts of fundamental things when you know what is simply in them, that is plenty of debate.

He calls these regulations that we seek to overturn ''consumer protections.'' But remember what I said earlier: They take these employer plans, these IRA plans that are forced by the government, they take them out from the protections of ERISA. They take consumer protection away from the people that have these plans. So far from being consumer protection regulations, they are anticonsumer protection regulations. They are antiworker.

So what is really going on here is this is not some effort—or was some effort by the Obama administration—to protect workers. It is an effort to try to get government more involved in people's lives, and the people of America don't want the government more involved in their lives.

The gentleman mentioned that there are 55 million people in America today who don't have a retirement plan. Every one of those 55 million people have access, if they choose to get it, to an IRA. Anybody can set up an IRA. You don't need your employer to set it up for you. You sure don't need the government to set it up for you. There are plenty of people around the country that will help you set it up, and it is pretty easy, pretty simple.

Maybe some of these people, or a lot of these people that don't have them, don't want them. So why would the government come in and tell them you have got to have them unless your real interest here is in empowering government and not protecting consumers? I will leave it to you to make the decision what the real motive was here.

□ 1245

Now, the gentleman talked about the fact that these come to us without going through the committees of jurisdiction; but, as I said earlier, because the form of these bills are prescribed by statute, there is really nothing for the committees of jurisdiction to do. But he will be glad to know that I am informed that, after we come back from the Presidents Day week break, there will be a number of bills coming to the floor that will have, in fact, gone through the committees of jurisdiction, including bills, I predict, that will both repeal and replace the Affordable Care Act. So there is going to be plenty of things coming through regular order to this floor.

But as we go through the Congressional Review Act process, we are pretty constrained in what we can say and not say in these bills, and we are simply following that which is prescribed by statute. As I said earlier, we can all decide, based upon that statutorily prescribed form for what we do, whether we are for it or we are against it, whether we want to force workers in America to get some government-forced type IRA and take them out from the protections of ERISA, or

whether we want to let them have their freedom and keep the protections of ERISA.

We want to keep freedom for the American people. We want to keep freedom for the American workers, and we sure want them to keep the protections they have had for over 40 years under ERISA and not take those protections away from them so that we can force something down their throat from some government-bureaucrat-run plan.

Getting back to what we are here to talk about today, we are here to reverse ill-considered regulations in the waning days of the Obama administration that hurt the American workers. By adopting this rule and by adopting these two pieces of legislation, we protect the American workers. I hope all of us are here to do exactly that.

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

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

The gentleman is correct, I did rise to object to certifying the electoral college vote. Part of it was because I was appalled by the unprecedented Russian interference in our election system. I would urge the gentleman to read—maybe he doesn't want to read the classified version of the report—the unclassified version of the report. It is pretty outrageous. That is why so many of us have been calling for an independent bipartisan commission to investigate this.

But the other reason why I objected was because of voter suppression. I would say to the gentleman that that is an equally serious issue, that there is still voter suppression in the United States of America, and it is something that we need to deal with. I worry very much under the Republican majority and under this White House that we are going to see more of an effort to restrict people's right to vote.

Now, the gentleman is trying to paint a rosy picture about what we are doing here. I mean, we have had 13 closed rules, 6 structured rules, zero modified open rules, zero open rules. By the end of this week, we will be a third of the way to breaking the record for the Republicans' most closed Congress in the history of the United States, and we are still in February. My friends have outdone themselves in terms of closing up this process, of shutting people out from participation.

The fact of the matter is, as I mentioned, these protections that the Republicans want to repeal went through a long process, lots of review within the agencies, lots of public commentary, a long time to develop these protections. Now, if the Republicans aren't happy with it, one of the things they might do is they could bring up these rules in the form of legislation where we could have an open process, and people can amend and add and change and do whatever they want to do to make it better, if that is what they want to do.

But that is not what they are interested in. It is all about a press release. This is mindless legislating. When committees of jurisdiction do not do their job, do not hold hearings, do not do markups, and all of a sudden the Rules Committee just reports something out and sends it to the floor under a closed rule, that is mindless legislating. By the way, I am on the Rules Committee. I don't think that we have yet had a single bill come before the Rules Committee that went through committee. I am happy I am on the Rules Committee. At least you see a little action going on, but I feel bad if you are on any of these other committees.

This is a lousy way to do business, and I am shocked that my Republican friends come to the floor and defend the indefensible. This is not the way this House should be run. This is the kind of process, as I said at the opening, you would expect to see in Russia, not here in the United States Congress. Different ideas should be debated. People ought to have an opportunity to have their voices be heard. But yet here, in this House of Representatives—which will break records in terms of being the most restrictive Congress, I think, in history—the name of the game is to try to shut people out. I think that is wrong. I think my Republican friends should be ashamed of the way they are conducting themselves in this Congress. This is not right.

I just point that out because I think it is important for people to note that, by the end of this week, my Republican friends will be a third of the way to breaking their own record for the most restrictive Congress in history, with the most closed rules. That is something that I don't think anyone should be proud of. But it is the new norm here: shut everything down, shut everybody out. I think that results in bad legislation and, again, mindless legislating like we are doing here today.

Mr. Speaker, we are all deeply concerned, as I mentioned in my opening statement, with the reports from our intelligence community regarding potential foreign interference in our most recent election. Everybody should be. Mr. Speaker, I am going to ask people to vote ''no'' on the previous question. If we defeat the previous question, I will offer an amendment to the rule to bring up Representative SWALWELL's and Representative CUMMINGS' bill which would create a bipartisan commission to investigate foreign interference in our 2016 election. With the revelations about General Flynn coming to light, and all that we know about his dealings with the Russians, this is extremely timely.

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, to discuss our proposal, I yield 3 minutes to the distinguished gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Mr. Speaker, I thank Mr. MCGOVERN for his work on this issue. I love my country, and I don't doubt that every one of my colleagues in this Chamber also loves this country. I admire every man and woman who has so bravely fought to defend it. After all, this is a country, this is a democracy worth defending. That is actually what defeating this previous question would take us to, the question of is this democracy still worth defending.

This past election, our democracy was attacked. The attack was electronic, and it was nearly invisible. It came from a foreign adversary in Russia, ordered by Vladimir Putin. It was intended to help Donald Trump. Most concerning, the public intelligence report about this attack, the last finding is, Russia intends to do this again. They are undertaking a lessons-learned campaign so they can attack the United States again and attack our allies, the best check against Russia through the NATO alliance.

Yesterday, the President removed a rotten plank in what is a compromised platform, Michael Flynn. In 2015, he went to Russia and sat next to Vladimir Putin, was paid for it, and, The New York Times reported yesterday, did not disclose that in the proper way he is supposed to to the Department of Defense. Because Russia attacked us, President Obama issued sanctions against Russia on December 28. Michael Flynn called Russia, its Ambassador, five times, at least five times, and discussed those sanctions, likely in violation of the Logan Act. He lied about it, lied to the Vice President about it, who went on national TV and defended Michael Flynn, saying it never happened.

But here is what we also learned. We learned that 3 weeks ago the White House knew, because acting Attorney General Sally Yates told the White House, that Michael Flynn had lied and had put himself in a position where he could be compromised through blackmail by the Russian Government. Yet, despite knowing this, the White House allowed Michael Flynn to remain as the National Security Adviser, receive security briefings at the highest level, and advise our President on our security.

All of the arrows continue to point to the Russian Government. We have more questions today than we did yesterday about whether there were any personal, political, or financial connections between President Trump, his family, his businesses, his campaign, and the Russian Government before the election and whether there are any efforts right now going on to pay back the Russian Government.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield an additional 2 minutes to the gentleman.

Mr. SWALWELL of California. All of the arrows continue to point to Russia. It is not disputed that Russia carried out this attack. It is not disputed that it was ordered by President Putin. It is not disputed that they sought to help Donald Trump. It is not disputed that Donald Trump admires President Putin and can't say a single bad thing about him. Despite disparaging our allies in Australia and Mexico, he can't say a bad thing about Putin. In fact, he wants to ease some of the sanctions against Russia and wants to roll back the influence of NATO.

Of course, while all of this is going on, the President will not show us his tax returns. With all of those arrows pointing to Russia, the American people deserve to know what was the political, personal, and financial relationship between the President and his team and Russia. The only way to get there is to have an independent, bipartisan-appointed commission.

Defeating the previous question and bringing up the Protecting Our Democracy Act will get us one step closer. I believe that my Republican colleagues—who love this great country as much as I do—can join us, and this can be a bipartisan quest to say that never again will we allow a foreign adversary to interfere in our elections.

Mr. BYRNE. I yield myself such time as I may consume.

Mr. Speaker, when I was a young lawyer, an old lawyer one time gave me a piece of advice that I was fortunate to never have to follow. He said: Son, when you are strong on the facts, pound on the facts. When you are strong on the law, pound on the law. If you are weak on the facts and the law, pound on the table.

What we just heard is pounding on the table about Russia, and that has nothing to do with the two bills that are covered by this rule. Nothing in the bills that underlie this rule has anything to do with Russia. But because there is not a good argument against the rule, there is not a good argument against these bills, we are pulling up something else and pounding on the table. Let's get back to the rule and the underlying legislation.

This legislation will reverse two regulations that hurt working people in America, period, end of sentence. Far from being a press release, as my colleague from Massachusetts talked about, this bill is going to pass not only this House, it is going to pass the Senate, and, yes, it is going to be signed by the President of the United States. Two of the Congressional Review Act bills that have already come through this House have passed the Senate and, I am told, are going to be signed by the President this week. These aren't press releases. These aren't messaging bills. These are pieces of legislation that are going to become law and protect American workers after an attempt by the Obama administration, as it is going out the door, an attempt by them to take ERISA rights away from American workers through a regulation. I would think everybody in this body would be outraged, after 40 years of bipartisan support for ERISA, that we would think it is okay for anybody to take away workers' ERISA rights. It is not.

What we are doing today is the right thing to do, not if you are for Big Government. But if you are for the American worker, this is the right thing to do. Rather than pound on the table, let's work together, pass this rule, pass this underlying legislation, and do the right thing for the American worker.

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

□ 1300

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

Mr. Speaker, there is one similarity with Russia and what we are doing here today, and that is the process. This is completely closed. This is totally undemocratic. There is no opportunity for amendment. There is no opportunity for different opinions to be presented here. So, again, this process is deeply flawed.

Again, my friends on the other side of the aisle may want to defend it, but I will tell you this is unprecedented. With the number of closed rules that we have seen, you are going to break all records.

My Republican friends also have the distinction of presiding over the most closed Congress in history. This will outdo that because they are moving in such a restrictive and closed way. This is not right.

The idea that we are going to repeal protections with an up-or-down vote without having the committees of jurisdiction even do a hearing, even to weigh the very points of view on this, to bring these bills to the floor like this in a way that would not allow people to improve these protections is outrageous. But this is the new norm here. Everything is shut down.

And the gentleman is right that the previous question maybe is a little bit off subject from the two underlying bills here, but as the gentleman knows, we are currently debating the rule. This is a tool used to set the House's agenda and to prioritize consideration of legislation.

For that very reason, this is, in fact, the appropriate time for us to explain to the American people what legislation we would like to prioritize and what agenda we would like to pursue in this House. Because the fact of the matter is, if we offer amendments to the Rules Committee by a 9–4 vote, we are turned down. We are shut out all the time.

So this is our only opportunity to be able to bring some of our priorities before our fellow Members in the House and to be able to let the American people know that some of us in this House are horrified by Russian interference in our election. It is unprecedented what they did. Anybody who sat through any of the briefings or even read the unclassified report, I don't know how you could not be horrified by the deliberate attempt to impact our elections.

And yet, we can't even get oversight in this House. The wagons have all circled around the President. You can't do anything that will make him uncomfortable. Well, the fact of the matter is this is about more than making a President of the United States uncomfortable. This is about defending our electoral system, defending our democracy.

And the gentleman from California, in arguing in favor of voting ''no'' on the previous question so we can bring up a bill that would allow there to be an independent bipartisan investigation of Russian interference on our election I think is even more important, given what we know about what happened with General Flynn. Many of us said, when he was being considered for the top national security spot in the White House, that this was a bad choice. Why? Well, because this is a guy who regularly peddled in conspiracy theories, whacky conspiracy theories.

Members of the intelligence community, members of our Defense Department regularly said, when he was being considered, that this was a bad choice. My Republican friends said nothing. Now we realize just how bad a choice this was and how bad the President's judgment was in allowing a man like this to be elevated to such a high position in the White House.

There are serious questions that need to be answered here. I would say to my colleagues, rather than trying to dodge and rather than trying to hide and rather than trying to frustrate attempts to get to the truth, there ought to be a bipartisan effort, similar to the 9/11 Commission, where people come together and, in an open, transparent way so the American people know what is going on, are able to get to the truth. That is what we are trying to do here. We have no other means to be able to get our views heard—certainly not in the Rules Committee. Every amendment we offer is turned down.

So I would say to my colleagues, vote ''no'' on the previous question. Let us be able to bring up the Swalwell-Cummings bill and have a vote on it. If you don't want to do an investigation, then vote ''no.'' But this is important and, I would argue, more important than the underlying bills, given what we are faced with. This is serious business, and it is about time my friends on the other side of the aisle treated it as serious business.

I will just close, Mr. Speaker, by saying that I have served here now for 20 years, and I have gotten to know some of the finest people in this Chamber, both Democrats and Republicans. I know there are a lot of Republicans who believe, as we do on the Democratic side, that we need to find out

what happened and we need to get to the truth. We don't want to see more attempts to block investigations.

I hope that those Republicans would join with us and vote ''no'' on the previous question because, if you vote ''no,'' we get to bring this up, we get to vote on it, and we still get to vote on the underlying legislation. This doesn't slow anything down; this doesn't stop anything; but it allows us, at this very important moment, to be able to debate something that I know a lot of people in this country are very concerned about.

Mr. Speaker, again, vote 'no' on the previous question, and vote ''no'' on this closed, restrictive Putin rule.

I yield back the balance of my time.

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

I agree with my colleague from Massachusetts (Mr. MCGOVERN) that this is, indeed, serious business. Looking out for the workers of America is perhaps the most serious business that we do.

We have heard a lot of speechifying about trying to do the right thing for the average person in America. On the way out the door, the Obama administration promulgated two regulations that attempt to force government-tight retirement on people when they don't want it and take away their consumer protection rights under ERISA. That is very serious business.

But instead of having a debate about that, my colleagues on the other side of the aisle tried to switch the subject to something else because they don't want to have to defend the indefensible. These two regulations that these two CRA bills would reverse would take away protections for American workers.

This debate is not closed. I completely disagree with that assertion. We had a full debate on this yesterday afternoon in the Rules Committee. We devoted an hour of debate to it right now. Of course, my colleagues on the other side of the aisle have chosen to chew up most of their time, instead of talking about this rule and the underlying legislation, talking about something else; but that is their right if that is what they want to do.

If they had some serious debate that they wanted to have on this rule and the underlying legislation, we wouldn't be talking about Russia. We would be talking about these bills. We would be talking about these regulations.

If this rule is adopted, we will have at least 2 hours of debate here on the floor on the bills themselves, and perhaps more if there is a motion to recommit. There is plenty of debate here. There is plenty of time to decide that you are for the American workers and protecting their consumer protection rights under ERISA or you are against American workers—either/or. It doesn't have anything to do with Russia. It has nothing to do with the Presidential election. It has everything to do with whether you stand with the workers of America or not.

I stand with the workers of America. I think the vast majority of the people in this body want to stand with the workers of America. If they do, I hope that they will vote for this rule and vote for the underlying legislation so that we can reverse these two regulations.

Mr. Speaker, I again urge my colleagues to support H.R. 116 and the underlying joint resolutions.

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

AN AMENDMENT TO H. RES. 116 OFFERED BY MR. MCGOVERN

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

SEC. 3. 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. 356) to establish the National Commission on Foreign Interference in the 2016 Election. 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 Foreign Affairs. 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. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

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

PARLIAMENTARY INQUIRY

Mr. MCGOVERN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MCGOVERN. My parliamentary inquiry is, are there any amendments that have been made in order under this rule?

The SPEAKER pro tempore. The Chair will not interpret the measure while it is pending.

Mr. MCGOVERN. Can the Speaker respond to whether this is a closed rule, which means that no amendments are in order?

The SPEAKER pro tempore. The Chair will not characterize the measure.

Mr. MCGOVERN. Thank you, Mr. Speaker.

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 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 428, RED RIVER GRADIENT BOUNDARY SURVEY ACT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 42, DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO DRUG TESTING OF UNEMPLOYMENT COMPENSATION APPLICANTS

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 99 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 99

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 428) to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill 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 Natural Resources; 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. 42) disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants. 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 Ways and Means; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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. COLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. COLE. Mr. Speaker, last week, the Rules Committee met and reported a rule for consideration of two important measures. First, the resolution provides for consideration of H.R. 428, the Red River Gradient Boundary Survey Act. The rule provides for 1 hour of debate, equally divided and controlled by the chair and ranking member of the Natural Resources Committee, and provides for a motion to recommit.

In addition, the resolution provides for consideration of H.J. Res. 42, providing for congressional disapproval of a rule issued by the Department of Labor with regard to drug testing. The rule provides 1 hour of debate, equally divided and controlled by the chair and ranking member of the Ways and Means Committee, and provides for a motion to recommit.

Mr. Speaker, H.R. 428 is a product of months of negotiation between the States of Texas and Oklahoma and the Kiowa, Comanche, and Apache Tribes in my district. I am happy to have been able to work with my friend Mr. THORNBERRY to come up with a fair and equitable solution which all interested parties have agreed to.

As you may know, the Red River serves as the State line separating Oklahoma and Texas. Over time, the river has moved, as much as a mile in some areas, causing landowners' properties to be affected. Instead of working to resolve this, for nearly a century, the Bureau of Land Management, BLM, has been unwilling to survey a small portion of the Federal land along a 116-mile stretch of the Red River between Oklahoma and Texas. H.R. 428 would direct the survey to be completed, using the gradient boundary survey method that was mandated by the Supreme Court, so that ownership of the land, which has been under dispute, can be effectively resolved.

□ 1315

In addition, Mr. Speaker, the rule provides for the consideration of another Congressional Review Act resolution, which would overturn a Department of Labor rule related to drug testing for those applying for unemployment insurance.

In 2012, the Middle Class Tax Relief and Job Creation Act made a number of reforms to the unemployment insurance program, including overturning a 1960s-era Department of Labor ban on the screening or testing of unemployment applicants for illegal drugs. The 2012 provision allowed, but did not require, States to test unemployment insurance applicants who either, one, lost their jobs due to drug use or, two, who were seeking new jobs that generally required new employees to pass a drug test. Unfortunately, after 4 years and a now finalized rule, States are no closer to being able to implement this sensible policy. Instead, because of the Department of Labor's overreach, three States which have enacted necessary State law changes to implement this commonsense policy are actually now precluded from moving forward with this sensible, bipartisan policy.

Mr. Speaker, most States already limit unemployment insurance benefits or individuals who refuse to take or fail an employer drug test or who have previous employment issues with drugs. We should empower States, employers, and prospective employees who are looking for work and overturn this onerous regulation.

Mr. Speaker, I urge support of the rule and the underlying legislation.

I reserve the balance of my time.

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

I thank the gentleman from Oklahoma for yielding to me the customary 30 minutes for debate.

I rise to debate the rule for consideration, which bundles together two completely unrelated pieces of legislation. One is a joint resolution disapproving of a Department of Labor rule that relates to the drug testing of unemployment compensation applicants. The other, as the gentleman just described, is the Red River Gradient Boundary Survey Act.

There are many more important issues, in my opinion, that face this country at the moment, and for the life of me, I cannot figure out why my colleagues across the aisle think that ceding Bureau of Land Management survey authority over federally owned land to the States and impugning the integrity of those who rightfully seek unemployment insurance are on the same list of important matters this body should be addressing.

First, I would note the odd events that brought us here today as we operate, once again, under a closed rule. I just heard the debate on the previous rule, and I was illuminated by the gentleman from Alabama, on the other side, who indicated that the rule wasn't closed because we had a debate in the Rules Committee yesterday for 1 hour. A closed rule is a closed rule. It means that other Members of this body do not have an opportunity to have their amendments heard and/or made in order. We are now entering our 13th of these closed rules in a body that claimed that it was going to have open rules and regular order.

On February 3, Congressman MCCLINTOCK wrote to Chairman Sessions, asking that the Red River Gradient Boundary Survey Act be heard under a structured rule, which still isn't an open rule. An amendment deadline was set, and two germane amendments with no budgetary issues were submitted. Nevertheless, my Republican colleagues shut down the process and reported a closed rule. As of today, two-thirds of all of the rules issued this session by the Rules Committee have been closed rules. We should not be conducting the people's business this way.

I call on my Republican colleagues to put their unfounded fear aside and let this body operate under regular order, under open rules, or, at the very least, under structured rules.

I am dismayed to see, even when the Republican chairman of a subcommittee asks the Republican chairman of the Rules Committee for a structured rule, that the Republican leadership sees fit to ignore that request and continue this closed process—stifling ideas and debate before they can even get started.

It is this kind of shifting decision-making that sows distrust and disappointment in the American people when they survey how business is conducted in their House. However, it is not just this kind of duplicitous behavior that undermines this institution, but, as I mentioned moments ago, a complete lack of an ability to get our priorities straight.

We still have plenty of folks who are looking for jobs. We have plenty of people who are terrified that they will soon lose the health care that keeps them and their children living healthy and productive lives. We have plenty of people who are understandably concerned that our immigration policy has taken a deep dive into the shallow end. But we don't come here to address these important issues. Instead, my Republican colleagues bring to the floor, week after week, legislation to undermine well-thought-out agency rules and make it increasingly difficult for our agencies to carry out their duties.

The fact that we need to come here today and discuss the efficacy of having the Bureau of Land Management manage our Nation's land is beyond me. For nearly 100 years, the Bureau of Land Management has conducted uncontested surveys, and now we are supposed to believe that, all of a sudden, the agency is not following the appropriate standard. If folks don't like the survey methods or think the wrong standard is being used, then one needs to go through the court system. One does not engage in the unprecedented measure of ceding to the States the Federal Government's legitimate authority over Federal land.

The second completely unrelated resolution, H.J. Res. 42, overturns a Department of Labor rule regarding the drug testing of Americans who apply for unemployment compensation. Under the Middle Class Tax Relief and Job Creation Act of 2012, States were given the authority to conduct drug tests on unemployment insurance applicants under two circumstances: if the applicant were terminated from a previous job due to unlawful drug use or if the only available, suitable work were in an occupation that regularly conducts drug testing.

The rule in question clarifies that occupations that ''regularly conduct drug testing'' include occupations that are specifically identified in State or Federal law as requiring an employee to be tested. Put another way, if a State thinks a job warrants a drug test, all it needs to do is add the job to a list. The rule strikes a balance, preserving deference to States while providing commonsense clarity to the law. This is how things should be done—that is, the regulations that were in force until now, at least.

Unfortunately, Mr. Speaker, common sense is not put to much use around here these days. Republicans want to repeal the rule because, one would have to assume, it does not go far enough in embarrassing those people who are simply trying to obtain unemployment insurance during a difficult time. Let us be crystal clear in that the only purpose this repeal can serve is to embarrass folks, because there is no evidence linking those who seek unemployment insurance to increased rates of drug abuse. Be that as it may, Republicans still insist on expanding expensive and offensive drug screenings.

Today, once again, we see the Republicans engaging in the Trumpian exercise of creating alternative facts. In today's example, we have a resolution that is based on the blanket assumption that unemployed Americans use drugs. It further implies that Americans who apply for unemployment benefits are to blame for being unemployed. This implication is as unfounded as it is offensive to those hardworking Americans who find themselves unemployed due to no fault of their own.

And what do these hardworking Americans get for their troubles—a Congress dedicated to ensuring that new and well-paid jobs are there for them tomorrow?

Not at all. Instead, they get a Republican-led Congress that is bent on subjecting them to unconstitutional, offensive, and expensive drug tests.

Like it or not, facts still matter. Here is one: a conservative estimate by the Substance Abuse and Mental Health Services Administration puts the cost of drug testing at $25 to $75 per test. Because Federal law prohibits charging applicants for these tests, States would have to absorb the cost of testing thousands of unemployed workers. In the State of Texas, for instance, that would translate to, approximately, $30 million for a single year of testing. A while back, we spent a lot of time around here talking about unfunded mandates, and somehow or another, this one, I guess, doesn't fit in that category.

Mr. Speaker, arbitrarily testing Americans who apply for unemployment compensation runs contrary to our Constitution and is a solution in search of a problem. Being unemployed is not a sufficient reason to be subjected to a government-operated drug test. Proposals like this blame unemployed Americans for being unemployed. It is illegal and it is a huge waste of money. We have got some real problems that we need to address in this Congress. At some point, this Congress will need to get to work.

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

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

Obviously, the gentleman and I have some disagreement here, but let's talk for a minute about the form of what we are doing.

The gentleman is correct in that this rule covers two different pieces of legislation that don't have anything substantive in common. However, the legislation itself will be debated separately. We will have one debate on the Oklahoma-Texas issue, which involves the boundary between those two States and the tribal interests that are also intimately part of that. We will have a separate debate on the rule. That is the appropriate way to proceed. There is no reason to have a separate rule for each one of these debates, but it is appropriate, as the gentleman suggested, to have two different debates because they are two different subjects.

I am going to disagree with him—and I am probably being parochial in this sense—for, if you live in Oklahoma, we actually think the border between Oklahoma and Texas is pretty important. This is an issue that, frankly, was dealt with legislatively last year. This body did not vote out the bill. I actually opposed it last year because it did not take care of the tribal interests involved and they had not been suitably dealt with. We amended the bill. Actually, I should say it was brought up, but it was not taken up by the Senate. We changed it, but we kept working for many months. Chairman THORNBERRY is the person who deserves most of the credit here of trying to bring the parties together.

Also, just by way of explanation so everybody is clear, this does not settle the issue. This doesn't force anything on the Federal Government or the two States or the tribes. It simply creates a common database. The two States have been asking for a complete survey of the contested area for many years. The BLM has refused to do that. You simply can't sort through this problem of a shifting border—set well over a century ago—with conflicting tribal interests if you don't have a common set of data here. So that is all that is being done here.

I can assure you that, certainly, the tribes in question would not have consented to go forward if they had thought they were having a solution imposed on them. What they think they are getting is a database that will allow them to determine exactly what their interests and rights here are and, hopefully, negotiate that with the two States in question; but, if necessary, they will litigate the issue.

□ 1330

So we see this as a reasonable effort to bring parties together where there is a great deal of confusion through nobody's fault. And we think the BLM has been lax here and, frankly, may well be claiming things beyond its authority. But the survey, again, will hopefully take care of that. So I hope that eases the concerns that people have.

In terms of the drug rule, we see this as an issue where Congress made its intent in 2012 very clear, that is, we wanted States to have options to make these decisions for themselves. We think the Department of Labor rule made that more, rather than less, difficult.

We can argue over the merits of any individual treatment of people that have used illegal drugs or what the appropriate testing measure is or whatever. I happen to think those decisions are best made at the State level where you have got interested parties that are more knowledgeable about local conditions than us dictating a one size fits all. So we just simply disagree on that.

Finally, the gentleman from Florida (Mr. HASTINGS) mentioned some concerns about the speed with which we are acting and also the form with which we are acting. The form, frankly, is basically dictated by statute.

The Congressional Review Act dictates the manner in which we can bring these items on rules to the floor, the timetable which we can operate under. If we alter that over here, then, frankly, we lose privilege status in the Senate and the chances of succeeding actually diminish pretty greatly.

We think, in this case, the issues are pretty clear. These aren't really things that need to be amended. We need to decide whether or not the regulation is appropriate or not. If you think it is, you should vote in favor of keeping the regulation as it is and against this effort.

If, on the other hand, you would like to see decisionmaking devolve down to the States and where we think better decisions will be made, then, you should vote in favor of the rule and the underlying legislation.

So, again, I don't think these issues are overly complex. I do think this is an important time to deal with them. Again, we have a limited period of time on the Congressional Review Act. We have a certain format. We think we are abiding within both that timeframe and that format.

On the Oklahoma-Texas border issue, it is a knotty issue. It has been around for decades. There have been multiple efforts to deal with it. Most of them have faltered because we have not had the various parties arguing from a common database as to what their positions are. We have asked the Bureau of Land Management repeatedly to survey the affected area. They decided they didn't want to do that.

In this case, Congress says: Look, we have two sovereign States and three sovereign Indian tribes here that have a concern. We want them to be able to work it through. We want them to draw on a common set of data. So we are going to essentially make sure that that happens and hopefully we can avoid a protracted court case between the States and the Indian tribes and actually resolve an issue that needs to be had.

There are literally thousands of people along this border that are not certain whether or not they own the land that they have actually been farming, in some cases, for generations. There are three Indian tribes that have historic rights to this land that predate, frankly, the existence of Texas as a State and certainly the existence of Oklahoma as a State. They want to make sure their mineral rights issues and their land issues are appropriately handled, and they want to preserve their rights going forward if they want to litigate. Again, they need this kind of data to make those sorts of determinations.

I commend the gentleman from Texas (Mr. THORNBERRY). I, again, look forward to working with my good friend from Florida (Mr. HASTINGS) on these issues.

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

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

While we are discussing these matters that my colleagues want to discuss that I don't think are paramount or issues that are vital to America's security, there are a plethora of issues that we could be discussing, and rightly should be. Toward that end, one of the things that the minority is given as an opportunity is to offer a previous question to the matter that is on the floor at this time.

So I exercise that prerogative by asserting that the National Security Council was established in 1947 to encourage candid discussions between the Federal agencies charged with keeping America safe to ensure they would provide the President with the best policy advice possible. For this very reason, security experts on both sides of the aisle agree that partisan politics have no place in the Council's deliberations.

With this in mind, it is deeply troubling that President Donald John Trump would promote Steve Bannon, his chief political adviser, to a full seat on the Council's Principals Committee, while simultaneously relegating the chairman of the Joint Chiefs of Staff and the Director of National Intelligence to a lower status. At the very least, this sends the very dangerous signal that the Trump White House intends to let political calculations influence its decisionmaking on the life-and-death matters of national security.

Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up Representative STEPHANIE MURPHY's bill to prohibit political advisers from regularly attending National Security Council meetings.

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 Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, to discuss our proposal, I yield 4 minutes to the distinguished gentlewoman from Florida (Mrs. MURPHY).

Mrs. MURPHY of Florida. Mr. Speaker, 2 weeks ago, I introduced H.R. 804, legislation designed to ensure that the deliberations and decisions of the National Security Council are not unreasonably influenced by partisan politics. The bill has garnered nearly 130 cosponsors, including the ranking members of the House Armed Services, Foreign Affairs, and Intelligence Committees. It is my hope that the bill will obtain support from my colleagues across the aisle because the principle it seeks to vindicate has long enjoyed bipartisan backing.

The motivation for my legislation was President Trump's directive formally authorizing his chief political adviser, Stephen Bannon, to attend all meetings of the NSC and its main subgroup, the Principals Committee. This aspect of the President's directive generated concern from respected military and intelligence professionals across the ideological spectrum.

For example, Senate Armed Services Committee Chairman JOHN MCCAIN characterized Mr. Bannon's appointment as a radical departure from precedent. Former White House Chief of Staff, Defense Secretary, and CIA Director Leon Panetta observed that the last place you want to put someone who worries about politics is in a room where they are talking about national security. And the ex-chairman of the Joint Chiefs of Staff, Michael Mullen, asserted that every President has the right and responsibility to shape the National Security Council as he sees fit, but partisan politics has no place at that table.

My bill would amend the 1947 law in which Congress created the NSC and established the statutory members of the Council. It would add simple language to provide that no individual whose primary or predominant responsibility is political in nature shall regularly attend or participate in meetings of the NSC or the Principals Committee.

I want to emphasize that while I may disagree with President Trump and Mr. Bannon on a range of matters, this bill is not about any specific individual. The prohibition in my legislation would apply whether the President or political adviser in question is Republican or Democrat and irrespective of their particular party views or personal attributes.

At its core, this bill is about fidelity to a deeply American principle: the principle that the servicemembers in our all-volunteer military, the quiet professionals in our intelligence community, and the men and women who protect our homeland should never have their lives disrupted or placed at risk because of a national security policymaking process that is contaminated by partisan politics.

The President is free to obtain political and policy advice from whomever

he wishes. However, he should not be free to place a political adviser on the most vital national security policymaking body in our country. Congress created the NSC, and Congress can and should set reasonable parameters governing its membership.

I respectfully urge my colleagues to defeat the previous question and to support H.R. 804.

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

Actually, I listened with a great deal of interest to the debate from my friends on the other side. None of it had very much to do with the rule or with the underlying legislation that we are going to discuss shortly, so I don't pretend to be an expert on the issues.

I do point out, simply in passing, that it really is up to the President of the United States as to whose advice he or she wants to take. Frankly, you know, to say that there aren't ''political people on the National Security Agency,'' with all due respect to a Chief of Staff that I admire profoundly, I think Leon Panetta is one of the great Chiefs of Staff to ever serve any President, but I would tell you that he is a pretty political guy. He was in this body, and one of his jobs was to help make sure the President of the United States was reelected. So there was a political dimension to what he did.

I don't know Mr. Bannon. I have never met him. I don't pretend to be familiar with him or his thinking. I do know that he is a valued adviser to the President of the United States. And if the President of the United States is going to seek advice from somebody—and it may be in these areas of national security—frankly, personally, I would prefer them to be part of the National Security Council, simply to have the educated debate of some of the very best professionals that we have and so that their opinion, when they advise the President, is fully formed. Again, I see this as the President's decision, not some enormous departure.

On occasions, Mr. Axelrod, who was not a chief of staff who was primarily a political counsel, did sit in on national security meetings at the request of the President. So, again, we can have this argument. I am not sure it is particularly relevant to the legislation. But at the end of the day, I want anybody advising the President of the United States—and he gets to make that choice—to get the best information they can possibly receive so that that advice is well-informed.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER), who is here to offer some important thoughts about some of the issues that are involved in the underlying legislation.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of the rule providing for consideration of H.J. Res. 42, which disapproves of the rule submitted by the Department of Labor on drug testing of unemployment insurance applicants.

In 2012, the Middle Class Tax Relief and Job Creation Act was passed into law. This bipartisan reform allowed, but did not require, States to administer drug tests to those applying for unemployment insurance benefits.

Unemployment insurance applicants are required by law to be able and available for employment, and drug testing is one of the most effective ways to ensure applicants meet this requirement. This law was also intended to reassure employers and taxpayers who fund the unemployment insurance program that those claiming benefits were truly ready to be hired and work.

In the years following the passage of this law, the Department of Labor failed to issue a rule to implement it. But in the final months of the Obama administration, the Department of Labor issued a final rule that severely limited States' ability to drug test unemployment insurance applicants. In issuing this rule, the Department of Labor acted outside their authority and went against the clear intent of Congress.

H.J. Res. 42 would provide for disapproval of this rule through the Congressional Review Act. This is needed to remove this overreaching rule and allow for the original intent of the law to be fully implemented.

States are in the best position to determine how to efficiently and effectively administer unemployment insurance programs, and should be allowed to drug test applicants if they choose to do so.

Reform of the unemployment insurance program is of particular interest to me. Last Congress, I introduced the Ensuring Quality in the Unemployment Insurance Program Act, which would allow States to choose how to implement drug testing on unemployment insurance applicants.

I thank Chairman BRADY and Chairman COLE for their attention to this very important issue, and I look forward to working with them to enact meaningful reforms to the unemployment insurance program.

I urge my colleagues to support the rule and this resolution.

□ 1345

Mr. HASTINGS. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO), my good friend, who is the ranking member of the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies.

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this rule. Drug testing people who are simply applying for unemployment insurance is harassment.

I am outraged on behalf of the workers across this country, workers in my congressional district, who could be subjected to insulting and unnecessary testing when they have earned the right to apply for unemployment insurance.

This is a strategy to throw up barriers to collecting unemployment insurance. It is an intimidation tactic with no basis in reality. States should not be allowed to impose additional obstacles to cut back on applications.

These jobless workers are often unemployed through no fault of their own. Their jobs were taken away by corporations who have moved their jobs overseas in order to get a tax break. And in addition to that, we have a Tax Code today that supports them moving overseas.

Or they may have lost their job because of a flawed trade agreement which, as we have seen in the past, has lost jobs and depressed wages.

We ought to be dealing with a tax code that penalizes companies that move their jobs overseas, not people who just want to do an honest day's work or collect the unemployment insurance that they are entitled to.

People want to work in this country, and it is often tiresome to listen to the ways that some of my colleagues on the other side of the aisle demean working people, people who struggle every day. We are all identified by the jobs that we have. We take pride in the work that we do.

People don't want to be on unemployment. What they want to do is to say to their kids: Be proud of me. This is my job. This is what I do. I want to be your role model.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS. I yield the gentlewoman an additional 1 minute.

Ms. DELAURO. What we ought to do, again, let's penalize those companies that send their jobs overseas. Let's do something about those flawed trade agreements which have lost over 800,000 jobs or more. That is just from the NAFTA agreement. Let's do something else for working people in this country.

Or you know what? Perhaps we ought to be drug testing the CEOs of companies who move their mailboxes overseas, export jobs, and who are in the business of hurting American workers. And, by the way, they are getting massive tax breaks at taxpayers' expense.

I strongly oppose this rule and this resolution. American workers deserve better.

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

I just want to point out for the record, Mr. Speaker, that actually this rule that we are trying to repeal, the measure we are trying to instate, doesn't force drug testing on anybody; and that is not going to happen in any State, unless the people in the State decide that that is something they want to do. I am quite content to let people in any State make that decision.

I think in my State, I am pretty certain that the people who I am privileged to represent would be very upset if they thought somebody was receiving unemployment compensation while they were on drugs, because they think

that is going to make it pretty hard for that person to ever get back into the workforce, and they want to be able to identify that. They don't want to incentivize it.

Other people may have a different opinion, and that is legitimate. It is a big country. That is why our Founding Fathers adopted a Federal system, so I wouldn't begrudge another State that saw it differently.

What we are trying to avoid here is a one-size-fits-all or this body and any administration dictating to every State what they ought to do.

Frankly, I would suggest that my good friend's remarks suggest that is the concern, that they actually want to decide in Oklahoma what we would do. We are not trying to decide in Connecticut what our friends would do. We are just thinking this ought to be down to the States.

That was the intent of Congress. When this was written, it was to empower the States to allow them to pursue policies they thought were appropriate. Frankly, if they do that and they pursue different policies, which they may well, we may actually learn something out of this. Again, that is part of the genius of our system, having 50 different laboratories out there.

But let's not have a bureaucracy decide that it will circumvent the will of the Congress of the United States and write a rule that is clearly meant to undo the intent of a legislation that was passed across this floor with bipartisan support.

Again, we just disagree on the issue, but, for the record, we are not trying to impose our beliefs. We are trying to let every State do what that State thinks they ought to do.

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

Mr. HASTINGS. Mr. Speaker, through you, I ask of my good friend from Oklahoma whether or not he has additional speakers. I do not, and I am prepared to close.

Mr. COLE. Mr. Speaker, I am certainly prepared to close if my friend is.

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

Mr. Speaker, we are here debating one rule for two entirely unrelated and unnecessary bills. To make matters worse, in the process of doing so, my Republican colleagues have shut out my fellow Democrats and some of their Republicans, even after presenting two germane amendments, even having the opportunity to have those amendments debated on the floor of the House of Representatives, the people's House.

What are you afraid of? By not making in order germane amendments with no budgetary effect, even after the chairman of the pertinent committee asked that a structured rule be provided that would have allowed for those two germane amendments to be offered, the majority is silencing the duly-elected representatives of millions of Americans.

We have more important things to address here in the people's House. Continuing to undermine the dedicated work of our Federal agencies, continuing to govern not based on the reality of the situation but on how you feel things are, and then shutting out the voices of millions of Americans through their representatives from the legislative process is shameful and no way to govern. The American people deserve better.

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

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

Mr. Speaker, I just want to point out again that, while my friend is correct, we have two different pieces of legislation under a single rule, and those legislations, as my friend points out, are not particularly related. As a matter of fact, they are not related to one another in any way. Each piece of legislation will receive a separate debate and a separate vote on the House floor. There was simply no reason to have two rules when one would suffice for two bills that basically need to come into the same format, in our view.

I also point out that, when we are talking about the vote under the Congressional Review Act, we are actually following a form prescribed in statute, and we are moving at a pace that the law dictates and that, frankly, is necessary in order to retain the privileged status of the legislation in the United States Senate. So nothing unusual here, other than we are actually being pretty productive and undoing a lot of rules that, frankly, we think were misguided and rushed into the final days of the last administration.

My friends are free to disagree with that, but I think the issues are pretty clear, pretty easy to decide, and don't require a great deal of amendments.

On the Oklahoma-Texas issue, and that is something I know a little bit about since it affects my district, last year, when we considered this legislation, we actually did have an amendment. It was my amendment, and my amendment that probably made it unacceptable in the Senate. But I was indulged by my chairman of the Rules Committee, and for the very important reason that we actually make sure that the tribes have an opportunity to be at the table. In this case, they do.

Mr. THORNBERRY has worked very hard, and so there is no dispute between the delegations in Oklahoma, the delegations in Texas, the interests of the various Indian tribes. Everybody agrees that we need a common set of information, a common survey that we can all trust to, frankly, work out the differences here that have multiplied over a century as the border has literally shifted. So that is the appropriate thing to do. We don't need a lot of amendments on that.

Mr. Speaker, in closing, I want to encourage all Members to support the rule. H.R. 428 is a fair and equitable solution which all interested parties have agreed upon and which can provide certainty that many landowners have sought along the Oklahoma-Texas border.

In addition, H.J. Res. 42 undoes a regulation that should have never been made in the first place. By preventing implementation of this regulation, we can ensure that those actively looking for work are provided with the support necessary to reach that goal.

Mr. Speaker, in closing, I want to take a point of personal privilege. This is the last time my good friend and my staff member, Mr. Waskiewicz, will be on the floor with me. He has been with me for 6½ years. He has made a smart career move and is moving on to the Budget Committee, a more august position.

But I have had the good fortune, as I know my friends have and we all have, to have very many wonderful staff members over the years. I have never had a better staff member than Steve Waskiewicz, never had a better friend, never had a harder worker, never had anybody who was more selfless in putting the interests of our office and the constituents whom we are privileged to represent ahead of all else. So I want to commend and thank him publicly and on the record for his wonderful service.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to the rule and the underlying bill.

I strongly oppose this rule because it makes in order H.J. Res. 42, a bill disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants, an effort to impose drug testing as a condition of receiving unemployment insurance and other forms of public assistance.

I oppose this rule because it would repeal a Department of Labor rule intended to implement a bipartisan agreement on implementing a provision, in the Middle Class Tax Relief and Job Creation Act of 2012, that allows states to drug test unemployment insurance (UI) applicants in certain circumstances.

In 2012, Congress approved a bipartisan compromise on drug testing unemployment insurance claimants.

The agreement permitted states to drug test UI claimants in cases where:

1) an applicant has been discharged from their last job because of unlawful drug use; or

2) an applicant who "is an individual for whom suitable work (as defined under the State law) is only available in an occupation that regularly conducts drug testing (as determined under regulations issued by the Secretary of Labor)."

Congress therefore mandated the Department of Labor to define through regulation those occupations that regularly conduct drug testing.

The final Department of Labor (DOL) rule, which would be repealed by H.J. Res. 42, defined "occupation" as a position or class of positions that are required, or may be required in the future, by state or federal law to be drug tested.

Some members of Congress have criticized the regulations as being too narrowly drawn, but in fact, they track the bipartisan legislation very closely.

It seems that what is really at issue is a desire to conduct broader drug testing of UI applicants.

Any proposal that seeks to expand the ability of states to drug test people for unemployment insurance should be vigorously opposed.

States already have the ability to administer drug testing and this change would needlessly shift employer costs to the states.

State UI programs already penalize job-related drug use.

Virtually all states treat a drug-related discharge as disqualifying misconduct even if it is not explicitly referenced in their discharge statutes.

Twenty states also explicitly deny benefits for any job loss connected to drug use or a failed drug test.

In addition, six states (Arizona, Arkansas, Indiana, South Carolina, Tennessee, and Wisconsin) have passed legislation equating a failed or refused pre-employment drug screen with refusing suitable work.

Employers already have testing as a tool to screen out people who use illicit drugs, at no cost to states.

Proponents of drug testing argue that states want to be able to drug test UI applicants.

However, only three states (Texas, Mississippi and Wisconsin) have enacted laws permitting state drug testing of UI claimants, consistent with the federal regulation, with all three of these states delaying implementation until after the final DOL rule targeted by H.J. Res. 42 was issued.

Suspicionless drug testing of government benefit recipients likely violates the Fourth Amendment.

Generally, government-mandated drug testing not based on individualized suspicion is unconstitutional.

Drug tests historically have been considered searches for the purposes of the Fourth Amendment.

For searches to be reasonable, they generally must be based on individualized suspicion unless the government can show a special need warranting a deviation from the norm.

However, social insurance or governmental benefit programs like UI, Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) and Housing Assistance do not naturally evoke the special needs that the Supreme Court has recognized in the past.

Indeed, when states like Michigan and Florida have tried to impose mandatory suspicionless drug testing on all TANF applicants or recipients, they have been stopped by federal courts that have found such testing to be unconstitutional under the Fourth Amendment.

These court battles also imposed substantial legal costs for states.

State-administered drug testing is a poor investment of public funds.

Claims that testing will save taxpayer money are built upon the assumption that the tests will return a high number of positive results.

However, studies show that individuals who receive public benefits use drugs at rates similar to the general population, and the vast majority of such individuals do not use drugs.

Most individuals, in fact, refrain from using drugs on a regular basis.

Ten states have spent substantial amounts of money in recent years to set up and administer drug testing systems for TANF recipients, but have identified only a few claimants testing positive.

Drug testing is also costly and prone to returning false-positives.

Drug tests that do come back as positive easily identify marijuana use but often miss other drugs that ordinarily clear out of the body within a few days.

Tests do not indicate if a person is impaired, or whether they are using less than they have in the past.

Working people paid for this insurance policy, and jobless workers earned the right to access UI through their service to their employer.

Proposals to drug test UI beneficiaries needlessly stigmatize and punish jobless workers and their families who are trying to get back on their feet.

If legislators have genuine concerns about drug use, there are far better ways to respond than targeting and stigmatizing the unemployed.

I urge you to oppose H. Res. 99, the Rule governing debate for H.J. Res. 42 and any legislation that seeks to expand the ability of states to condition the receipt of unemployment insurance and other forms of public assistance on a drug test.

For these reasons and more, I oppose this rule and the underlying bill. I would also like to include the following list of organizations actively opposed to H.J. Res. 42:

9to5, National Association of Working Women; AFL-CIO; AME Church—Social Action Commission; American Civil Liberties Union; American Federation of State, County and Municipal Employees (AFSCME); Bend the Arc Jewish Action; Bill of Rights Defense Committee/Defending Dissent Foundation; Center for Community Change Action; The Center for HIV Law and Policy; Center for Law and Social Policy (CLASP); Drug Policy Alliance Economic Policy Institute Policy Center; Food Research & Action Center; Harm Reduction Coalition; Housing Works; Institute for Science and Human Values; Interfaith Worker Justice; LatinoJustice; The Leadership Conference on Civil and Human Rights; Legal Action Center; Legal Aid at Work.

Life for Pot; The Los Angeles LGBT Center; Massachusetts Law Reform Institute MomsRising; NAACP; National Asian Pacific American Women's Forum; National Association of Social Workers; National Center for Transgender Equality; National Council of Churches; National Employment Law Project; National Employment Lawyers Association National LGBTQ Task Force Action Fund; National Women's Law Center; NCADD–MD; Public Justice Center; Sargent Shriver National Center on Poverty Law; StopTheDrugWar.org; Students for Sensible Drug Policy (SSDP); The Sugar Law Center for Economic & Social Justice; Union for Reform Judaism; The United Methodist Church—General Board of Church and Society; Witness to Mass Incarceration; Workplace Fairness.

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

AN AMENDMENT TO H. RES. 99 OFFERED BY MR. HASTINGS

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

SEC. 3. 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. 804) to amend the National Security Act of 1947 to protect the National Security Council from political interference, 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 among and controlled by the respective chairs and ranking minority members of the Committees on Armed Services, Foreign Affairs, and the Permanent Select Committee on Intelligence. 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. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 804.

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. COLE. 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. HASTINGS. 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.

RECESS

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

Accordingly (at 1 o'clock and 56 minutes p.m.), the House stood in recess.

□ 1415

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 2 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 99;

Adoption of House Resolution 99, if ordered;

Ordering the previous question on House Resolution 116; and

Adoption of House Resolution 116, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 428, RED RIVER GRADIENT BOUNDARY SURVEY ACT, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 42, DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO DRUG TESTING OF UNEMPLOYMENT COMPENSATION APPLICANTS

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 99) providing for consideration of the bill (H.R. 428) to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes, and providing for consideration of the joint resolution (H.J. Res. 42) disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 225, nays 189, not voting 17, as follows:

[Roll No. 88]

YEAS—225

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
Duncan (SC)
Duncan (TN)
Dunn
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
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
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)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
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)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—189

Adams
Aguilar
Barragán
Bass
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
Clark (MA)
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
Kildee
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
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
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
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—17

Beatty
Duffy
Emmer
Hartzler
Hensarling
Huizenga
King (NY)
LaMalfa
Love
McCaul
Mulvaney
Payne
Rush
Shuster
Simpson
Visclosky
Zinke

□ 1440

Messrs. GONZALEZ of Texas and LARSON of Connecticut changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. LAMBORN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 88.

Mr. EMMER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 88.

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. HASTINGS. 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 225, noes 187, not voting 19, as follows:

[Roll No. 89]

AYES—225

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)
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
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
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
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)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
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
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—187

Adams
Aguilar
Barragán
Bass
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
Clark (MA)
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
Kildee
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
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
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
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Beatty
Brat
Duffy
Hartzler
Hensarling
Huizenga
King (NY)
Love
McCaul
Mulvaney
Payne
Roe (TN)
Rosen
Rush
Shuster
Visclosky
Walz
Woodall
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1446

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.

Stated against:

Ms. ROSEN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 89.

PROVIDING FOR CONSIDERATION OF H.J. RES. 66, DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO SAVINGS ARRANGEMENTS BY STATES FOR NON-GOVERNMENTAL EMPLOYEES, AND PROVIDING FOR CONSIDERATION OF H.J. RES. 67, DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO SAVINGS ARRANGEMENTS BY QUALIFIED STATE POLITICAL SUBDIVISIONS FOR NON-GOVERNMENTAL EMPLOYEES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 116) providing for consideration of the joint resolution (H.J. Res. 66) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees, and providing for consideration of the joint resolution (H.J. Res. 67) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 188, not voting 16, as follows:

[Roll No. 90]

YEAS—227

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
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
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
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)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
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
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—188

Adams
Aguilar
Barragán
Bass
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
Clark (MA)
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
Kildee
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
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
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
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Beatty
Duffy
Hartzler
Hensarling
Huizenga
King (NY)
Love
McCaul
Mulvaney
Payne
Roe (TN)
Rush
Visclosky
Walz
Woodall
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1453

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 227, noes 188, not voting 16, as follows:

[Roll No. 91]

AYES—227

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
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
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
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
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
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
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
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—188

Adams
Aguilar
Barragán
Bass
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
Clark (MA)
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
Kildee
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
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
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko

Torres	Velázquez	Welch
Tsongas	Wasserman Schultz	Wilson (FL)
Vargas	Waters, Maxine	Yarmuth
Veasey	Watson Coleman	
Vela		

NOT VOTING—16

Beatty	Loudermilk	Suozzi
Bost	Love	Visclosky
Duffy	McCaul	Walz
Hartzler	Mulvaney	Zinke
Hensarling	Roe (TN)	
Huizenga	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1501

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.

RED RIVER GRADIENT BOUNDARY SURVEY ACT

Mr. BISHOP of Utah. Mr. Speaker, pursuant to House Resolution 99, I call up the bill (H.R. 428) to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 428

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 ''Red River Gradient Boundary Survey Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) AFFECTED AREA.—

(A) IN GENERAL.—The term ''affected area'' means land along the approximately 116-mile stretch of the Red River, from its confluence with the north fork of the Red River on the West to the 98th meridian on the east.

(B) EXCLUSIONS.—The term ''affected area'' does not include the portion of the Red River within the boundary depicted on the survey prepared by the Bureau of Land Management entitled ''Township 5 South, Range 14 West, of the Indian Meridian, Oklahoma, Dependent Resurvey and Survey'' and dated February 28, 2006.

(2) GRADIENT BOUNDARY SURVEY METHOD.—The term ''gradient boundary survey method'' means the measurement technique used to locate the South Bank boundary line in accordance with the methodology established in Oklahoma v. Texas, 261 U.S. 340 (1923) (recognizing that the boundary line along the Red River is subject to change due to erosion and accretion).

(3) LANDOWNER.—The term ''landowner'' means any individual, group, association, corporation, federally recognized Indian tribe or member of such an Indian tribe, or other private or governmental legal entity that owns an interest in land in the affected area.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(5) SOUTH BANK.—The term ''South Bank'' means the water-washed and relatively permanent elevation or acclivity (commonly known as a ''cut bank'') along the southerly or right side of the Red River that—

(A) separates the bed of that river from the adjacent upland, whether valley or hill; and

(B) usually serves, as specified in the fifth paragraph of Oklahoma v. Texas, 261 U.S. 340 (1923)—

(i) to confine the waters within the bed; and

(ii) to preserve the course of the river.

(6) SOUTH BANK BOUNDARY LINE.—The term ''South Bank boundary line'' means the boundary, with respect to title and ownership, between the States of Oklahoma and Texas identified through the gradient boundary survey method that does not impact or alter the permanent political boundary line between the States along the Red River, as outlined under article II, section B of the Red River Boundary Compact enacted by the States and consented to by Congress pursuant to Public Law 106–288 (114 Stat. 919).

SEC. 3. SURVEY OF SOUTH BANK BOUNDARY LINE.

(a) SURVEY REQUIRED.—

(1) IN GENERAL.—The Secretary shall commission a survey to identify the South Bank boundary line in the affected area.

(2) REQUIREMENTS.—The survey shall—

(A) adhere to the gradient boundary survey method;

(B) span the length of the affected area;

(C) be conducted by surveyors that are—

(i) licensed and qualified to conduct official gradient boundary surveys; and

(ii) selected jointly by and operating under the direction of—

(I) the Texas General Land Office, in consultation with each affected federally recognized Indian tribe; and

(II) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma and each affected federally recognized Indian tribe; and

(D) be completed not later than 2 years after the date of enactment of this Act.

(b) APPROVAL.—

(1) STATE APPROVAL.—

(A) IN GENERAL.—Not later than 60 days after the date on which the survey under subsection (a)(1) is completed, the Secretary shall submit the survey for approval to—

(i) the Texas General Land Office, in consultation with each affected federally recognized Indian tribe; and

(ii) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma and each affected federally recognized Indian tribe.

(B) TIMING OF APPROVAL.—Not later than 60 days after the date of receipt of the survey under subparagraph (A), the Texas General Land Office, in consultation with each affected federally recognized Indian tribe, and the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma and each affected federally recognized Indian tribe, shall determine whether to approve the survey.

(C) SURVEYS OF INDIVIDUAL PARCELS.—

(i) IN GENERAL.—Surveys of individual parcels in the affected area shall be conducted in accordance with this section.

(ii) APPROVAL OR DISAPPROVAL.—A survey of an individual parcel conducted under clause (i) shall be approved or disapproved, on an individual basis, by the Texas General Land Office, in consultation with each affected federally recognized Indian tribe, and the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma and each affected federally recognized Indian tribe, by not later than 60 days after the date of receipt of the survey.

(2) NO FEDERAL APPROVAL REQUIRED.—The survey conducted under subsection (a)(1), and any survey of an individual parcel described in paragraph (1)(C), shall not be submitted to the Secretary for approval.

(c) NOTICES.—

(1) SECRETARY.—Not later than 60 days after the date on which a survey for an individual parcel is approved by the Texas General Land Office and the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma, under subsection (b)(1)(C), the heads of those offices shall submit to the Secretary—

(A) a notice of the approval of the survey; and

(B) a copy of—

(i) the survey; and

(ii) any field notes relating to the individual parcel.

(2) ADJACENT LANDOWNERS.—Not later than 30 days after the date on which the Secretary receives a notice relating to an individual parcel under paragraph (1), the Secretary shall provide to each landowner of land adjacent to the individual parcel—

(A) a notice of the approval of the survey; and

(B) a copy of—

(i) the survey; and

(ii) any field notes relating to the individual parcel.

SEC. 4. EFFECT OF ACT.

Nothing in this Act—

(1) modifies any interest of the State of Oklahoma or Texas, or the sovereignty, property, or trust rights of any federally recognized Indian tribe, relating to land located north of the South Bank boundary line, as established by the survey;

(2) modifies any land patented under the Act of December 22, 1928 (45 Stat. 1069, chapter 47; 43 U.S.C. 1068) (commonly known as the ''Color of Title Act''), before the date of enactment of this Act;

(3) modifies or supersedes the Red River Boundary Compact enacted by the States of Oklahoma and Texas and consented to by Congress pursuant to Public Law 106–288 (114 Stat. 919);

(4) creates or reinstates any Indian reservation or any portion of such a reservation; or

(5) alters any valid right of the State of Oklahoma or the Kiowa, Comanche, or Apache Indian tribes to the mineral interest trust fund established under the Act of June 12, 1926 (44 Stat. 740, chapter 572).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out this Act $1,000,000.

The SPEAKER pro tempore. Pursuant to House Resolution 99, the gentleman from Utah (Mr. BISHOP) and the gentlewoman from Hawaii (Ms. HANABUSA) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 428.

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 5 minutes to the gentleman from Texas (Mr. THORNBERRY), the sponsor of this piece of legislation.

Mr. THORNBERRY. Mr. Speaker, first, let me thank Chairman BISHOP

for not only yielding me the time, but for his patience and diligence and understanding this issue, and I also want to thank Subcommittee Chairman MCCLINTOCK for the work that he has put into it.

The Natural Resources Committee has conducted hearings on this issue. They have reported out bills related to this issue in the last two Congresses, and last Congress, the whole House voted for a bill that deals with this issue. I am grateful to Chairman BISHOP and Subcommittee Chair MCCLINTOCK for all of that effort.

Mr. Speaker, this bill is just a small sliver of what this House has passed before. This bill requires the Federal Government to do what the Federal Government should have done long ago, and that is to conduct a survey along the Red River following the instructions of the United States Supreme Court. That is all this bill does.

It does not dispose of any land; it does not alter the rights or claims of any State, any tribe, any individual. It just says the Federal Government has a responsibility to know what the Federal Government is supposed to be controlling. They have never, ever conducted a survey of this area, and so this bill says: You will have a survey conducted using the method that the United States Supreme Court has repeatedly held is a method you ought to use.

I am a little taken aback, Mr. Speaker, on why that should be controversial. We could go on at some length about how this came to be. It is interesting, historically, and we could go into a variety of details and so forth; but, again, the bottom line is the Federal law currently says the Federal Government has a responsibility to inventory and ascertain where Federal land is. Yet the Bureau of Land Management not only has never done it in close to 100 years after the Supreme Court decision, the Bureau of Land Management has said they never intend to. They will never conduct a survey of this 116-mile area.

So this bill, as I say, is very simple. It says the Bureau of Land Management shall commission a survey, jointly agreed upon by Texas and Oklahoma, tribal and other interests a full part of that, but there will, once and for all, be a survey to determine where the Federal claim is and where the Federal claim is not.

Now, part of the reason that is so important is because the Bureau of Land Management has, especially in 2013, come out and made a variety of claims that has thrown in doubt the proper title and ownership of land that has been in families for generations, that people have paid taxes on for generations. That has put a cloud on title of private landowners, and it does not help that cloud when the Bureau of Land Management says: We will never conduct a survey to determine exactly where the claim is.

So everyone, Mr. Speaker, every State, every tribe, every local government, every individual—even the Federal Government and the BLM itself—deserves to know where the claims rightfully are and where the claims are rightfully not.

First step is information. That is all this bill does. I think it is pretty clear that we should at least take this step.

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

Mr. Speaker, Federal ownership of the land along the Red River dates back to the Louisiana Purchase. Over time, gradual changes in the course of the river have created uncertainty regarding Federal interests in the area as well as confusion about the exact boundary between Texas and Oklahoma. Further complicating the matter, Native American Tribes have mineral and other interests in the area impacted by the precise ownership of the land in question.

In fact, as noted in the Supreme Court case of Oklahoma v. Texas, a 1923 case, the decision was the boundaries were changed due to accretion and erosion. It is important to note that the gentleman from Texas does not dispute the criteria set forth by the Supreme Court in Oklahoma v. Texas. Moreover, in 2000, Congress passed the Red River Boundary Compact, which shifted the boundary line between the States, but the location and status of lands in the public domain remain unchanged. Along the 116-mile stretch, a portion of the land in the Red River area is still under Federal ownership because it has never been disposed of under the authority of Congress.

In 2013, the Bureau of Land Management set out to revise the Federal resource management plan for Federal lands—not private lands, Federal lands—in Oklahoma, Kansas, and Texas. As part of that process, the BLM began to survey the lands to determine the extent of all ownership claims. According to the 2014 testimony from the Deputy Director of the BLM, Steve Ellis, the survey process the BLM intends ''to identify, with certainty, and propose management alternatives for lands which fall within the public domain but have never been patented, reserved, or disposed.''

According to that same testimony, the BLM estimates that approximately 30,000 acres of public land exist along the Red River between the north fork of the river and the 98th meridian. They also estimate that as many as 23,000 of those acres may be overlaid by private ownership interests.

One of the most significant and advantageous parts about the process for updating land use plans is that it includes steps along the way that allow for public input, analysis, and informed decisionmaking.

Once the survey is complete, the BLM has a variety of statutory authorities the agency can use to resolve conflicting claims, including the Federal Land Policy and Management Act and the Color of Title Act.

H.R. 428, the bill before us today, has a troubled history. Flaws in the bill have prevented it from becoming law for several years. Some of those shortcomings have been addressed, but others remain.

H.R. 428 would halt the planning and survey process in its tracks. The bill would strip the Bureau of Land Management of its survey authority along the 116-mile stretch of the Red River, and it would force the Federal Government to accept the survey completed by the States of Texas and Oklahoma.

Prohibiting the Federal Government from surveying its own land is unprecedented and unwarranted. What is also troubling is that, in stark violation of Republican policy against authorizations without an offset, this legislation authorizes the expenditure of $1 million in Federal funding to pay the States to complete the survey.

It is important to note that allowing State governments to dictate the outcome of this process is a terrible precedent, and forcing the American taxpayers to pay the States for those surveys adds insult to injury.

□ 1515

Parts of this case are currently in the Federal court of the U.S. District Court for the Northern District of Texas. The parties include the State of Texas, BLM, and plaintiff landowners; and they are in mediation working to resolve these very complicated issues. The nature of that lawsuit is a quiet title action.

I include in the RECORD a minute order dated Tuesday, January 10, 2017. At the bottom of the order it reads, in relevant part: ''Case did not settle but parties are continuing to work on settlement. Court will continue to monitor and assist mediation efforts.''

[Case 7:15–cv–00162–O Document 130 Filed 01/19/17 PageID 1449]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF TEXAS

FORT WORTH DIVISION

MINUTE ORDER—MEDIATION

(with parties and counsel)

JUDGE: Jeffrey L. Cureton

LAW CLERK: K. Verna

LOCATION: United States District Court, Wichita Falls, Texas

Case No.: 7:15–CV–162–O

Case Style: Aderholt, et al. v. Bureau of Land Management, et al.

Date Held: Tuesday, January 10, 2017

Time: 7:45 a.m–6:00 p.m.

Persons Present at Mediation:

Plaintiffs: (1) Kenneth Aderholt, (2) Patrick Canan, (3) Kevin Hunter, (4) Ronald Jackson, (5) William Lalk, (6) Kenneth Patton, (7) Barbara Patton, (8) Jimmy Smith, (9) Kenneth Lemons, Jr. in his capacity of Sheriff of Clay County, Texas, (10) Honorable Lee Harvey and Meredith Kennedy as representatives of Plaintiff Wichita County, Texas, (11) Honorable Kenneth Liggett as Representative of Plaintiff Clay County, Texas, (12) Honorable Greg Tyra and Cory Curtis as Representatives of Plaintiff Wilbarger County, Texas

Counsel for Plaintiffs: Robert Henneke, Bradley Caldwell, J. Austin Curry, and John Summers

Counsel for Intervenor Plaintiff State of Texas: Megan Neal and Amy Davis

Representatives for Intervenor Plaintiff George P. Bush as Commissioner of the Texas General Land Office: Mark Havens, General Counsel and Mark Neugebauer, Chief Surveyor

Counsel for Intervenor Plaintiff George P. Bush: Ken Slavin and Deborah Trejo

Defendants: Robert Casias as Representative of Defendant Bureau of Land Management

Counsel for Defendants: Romney Philpott, Jason Hill, and Charles Babst

Mediation conducted with the parties and attorneys. Case did not settle but parties are continuing to work on settlement. Court will continue to monitor and assist mediation efforts.

Ms. HANABUSA. Mr. Speaker, this bill would undermine the progress of the judicial branch and instead prohibit the Federal Government from surveying its own land. It also would force the American taxpayers to pay the States for these surveys. Shifting this authority, as we said earlier, is unprecedented and would cause more confusion.

We should allow the parties to resolve this conflict, and Congress should stay out of it.

What is troubling is that the bill is being proposed as something that brings the parties together. This mediation is doing that.

More importantly, when you look at the bill itself, the question has to be asked: Where is the Department of the Interior? Where is the BLM? Let us not forget, it is the Department of the Interior that has the fiduciary duty to the tribes.

The question really is: Can or should Congress abdicate its fiduciary obligation that is owed to the tribes by doing this survey?

H.R. 428 does not warrant consideration by this body. We clearly have more important issues facing this Nation. Congress should get out of the way and allow the current BLM process to play out. This bill is a waste of our valuable time and taxpayers' dollars.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. MCCLINTOCK), chairman of the Committee on Natural Resources' Subcommittee on Federal Lands that deals with this area.

Mr. MCCLINTOCK. Mr. Speaker, I thank Congressman THORNBERRY for working through three congressional sessions to do justice to the property owners along the Red River.

The injustice that this bill corrects is galling. In 1923, the U.S. Supreme Court established rules for determining the boundary between Texas and Oklahoma, which established property rights over this land.

For nearly a century, the Federal Government recognized and respected the property lines established by this ruling. Property owners purchased and sold this land and, in some cases, passed it down from generation to generation. These property owners, in good faith, dutifully paid taxes on their lands year after year, invested in these lands, maintained them, cultivated them, and improved them.

Nearly 100 years later, in 2013, the Bureau of Land Management announced that it was arbitrarily changing these long-established and settled boundaries and claiming ownership of 90,000 acres of land. This outrageous claim clouds property rights along this vast territory.

It is based on the flimsiest of pretexts: a 2009 survey of some 6,000 acres out of the total 90,000 in dispute. This survey ignored the 1923 Supreme Court decree that originally established the boundary lines, and it then extrapolated the results of this limited survey to justify this land grab over the entire region. In other words, BLM laid claim to these lands with a guess based upon a fraud.

The BLM has since scaled back its claim to 30,000 acres, a testament to the flimsy process with which it has upended the lives of every property owner in the region.

The Red River Private Property Protection Act tells the BLM to back off. It authorizes a comprehensive survey of all of the disputed acreage to be conducted jointly by the two States directly affected and in consultation with the tribal governments involved. It requires that the survey be conducted on the longstanding criteria established by the Supreme Court, rather than the recent and illegal invention of the BLM.

Upon the completion of the survey, the States of Texas and Oklahoma, in coordination with federally recognized Indian tribes, will review and approve the survey to ensure its accuracy and impartiality.

Without this act, title to the farms and homes will be clouded for decades while the matter drags on through the courts. That is the course that the gentlewoman suggests we should follow: drag this on for years, if not decades, while these property owners languish in uncertainty.

Meanwhile, the BLM's assertion of regulatory jurisdiction would have devastating impacts on local homeowners and businesses and make it much more difficult to encourage economic development in the region.

This measure is a scaled-down version of the bill passed by this House in 2015, in order to address concerns expressed by the American Indian Nations involved.

Mr. Speaker, government exists to protect our natural rights, including our property rights, and this bill realigns our government with its stated purpose and its stated promise.

I urge its speedy adoption.

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

Mr. Speaker, I think it is very important for us—though they have made light of the fact that this has a history, beginning with the Louisiana Purchase—that this is not a new issue. There are a series of subsequent treaties with foreign governments in 1819, 1828, and 1838, which set the south bank of the river as the southern border of the United States and the northern border of what is now the State of Texas.

In 1867, when a portion of this public domain was reserved for the Kiowa-Comanche-Apache (KCA) Reservation, the middle of the main channel of the river between the 98th meridian and the north fork of the river was established as the reservation's southern boundary. The remaining land between what is now called the medial line and the southern bank retained its status as public land, which continues through the present.

In a series of decisions in the 1920s, the U.S. Supreme Court adopted a method known as the gradient boundary method for determining the location of the boundary between Texas and Oklahoma along the southern bank of the river. In giving certainty to the boundary's location and the extent of tribal holdings, the Court's decision also provided a basis for clarifying private land ownership on each side of the river.

In 1981 and 1984, two separate Oklahoma landowners argued in the United States District Court that, under riparian law, changes in the river's location had expanded their private holdings while reducing the acreage of the Texas landowners whose properties faced them across the river. In both cases, the district court followed the Supreme Court's established principle concerning the location of public and private lands.

Private property in Oklahoma extended to the center of the river while private property in Texas stopped at the ordinary high-water mark on the southern bank, with the remaining land being part of the original public domain located in Oklahoma.

In 2000, the State legislatures of Oklahoma and Texas, along with tribal leaders from the neighboring KCA Tribes and Chickasaw and Choctaw Nations, attempted to resolve these remaining issues by agreeing to the Red River Boundary Compact. Congress later consented to the compact, and, in so doing, agreed to move the jurisdictional boundary between the States from the south bank gradient line to the south bank vegetation line.

The BLM began updating its resource management plan for public lands in Kansas, Oklahoma, and Texas, which includes the area along the Red River, in 2013. The BLM doesn't full know the extent of public domain, and that is why they are trying to do the survey. The resource management planning process would update the current RMPs covering this area, which were developed in 1994 and 1996, and establish a long-term plan articulating the BLM's objectives and strategies for maintaining the health and productivity of public lands in the region.

As we discussed earlier, in 1923, the United States Supreme Court also interjected into this and set the criteria.

We can disagree on some of these issues, but we can at least agree to get

our facts straight. We do know, Mr. Speaker, that this has been an ongoing process and this has gone back for different administrations.

I think the question becomes: Why is it necessary to do this now? What is it that is happening now? They are in court. They have been in court. They have availed themselves of the court process. No one disagrees with the United States Supreme Court decision.

So the question we should all ask ourselves is: Why now? Why take out, in this bill, my amendment that was rejected by the Rules Committee which would have eliminated that portion which says basically the Federal Government has no say in the survey? So why would we abdicate that major responsibility?

We not only have responsibility to the tribes listed, but there are also different kinds of tribal lands, which we must take into account. So the question is: Why abdicate it?

If as was stated earlier that what we are talking about is just a bill that says to the BLM to do the survey, then why does it contain within it a statement that says it has no right to concur or to approve?

I think that it would be a different situation if this was a bill that said: hurry up and do your survey. But that is not what this bill says.

This bill says the States of Texas and Oklahoma will do it—actually, Texas will do it in consultation with Oklahoma and specific tribes.

Why doesn't it say, if what we want is a survey, that BLM do the survey?

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. LAMALFA), chairman of the Committee on Natural Resources' Subcommittee on Indian, Insular and Alaska Native Affairs.

Mr. LAMALFA. Mr. Speaker, you know when we swear to uphold an oath to our country and to our States, a lot goes with that responsibility. We have a very sacred covenant in protecting private property rights, the cornerstone of the founding of this Nation.

So to see that after many decades or even centuries of people feeling secure in their property, in their land, how can one government agency come along and defy two entire States in a process they have used, the gradient boundary survey method, in this case, along the Red River between Texas and Oklahoma? How can you have one rogue Federal agency coming in and saying we supersede what these two States and decades and decades of tradition and security that these families have had along here is completely wrong?

That is why H.R. 428 would send the right signal and give certainty back to these families. We are talking about a court process. Well, for private parties to have to go to a court, it is not the same as the government with its endless resources, endless time to slog through court in this case after 8 years. This is a lot of wear and tear on families when their property and their longtime traditions are in question here.

I go back to a case some years ago, the Kilo v. New London decision, where it was deemed that government can just take property if it was deemed beneficial to the government or to the tax base, indeed, trampling on property rights. At least, in that case, you can count on that there might be some compensation for having that land taken.

Will that even happen here? They are over a mile off in some of their surveys where the BLM believes the land line is. So the true border needs to be made certain and needs to be respectful of Texas and Oklahoma in their process in this property right discussion.

Indeed, an 8-year-long nightmare, imagine what this does to families. It happens in my district as well when regulators come in and decide they are going to change the water rights. It is not even good for their health. People, when they are going through this legal process, it is painful for them.

So H.R. 428 is a very important method of doing, through the gradient boundary survey, a fair way—one that is recognized by Texas and Oklahoma for many decades as the correct way—to survey and finally put this issue to rest after many, many more years than what it should have been.

Indeed, private property rights are the cornerstone of part of why this country was even founded. Why do we continue to do this to the families who have, in good faith, paid taxes, made their land payments, and been part of the fiber of Texas and Oklahoma around the Red River for so many, many years?

□ 1530

Instead of confusion, let's give them certainty. I urge us to all support H.R. 428 and go to a survey method that is fair and recognized by two States, not by one Federal agency that wishes to override that process.

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

It is very interesting because we seem to be confusing what is at issue here. If what is at issue here is a survey process, then there is no question. The survey process is set up in the United States Supreme Court decision of Oklahoma v. Texas. No one disputes that that should be it.

Neither is it disputed that BLM cannot illegally claim private property and, in fact, it does have a process by which it can sell that private property.

First, under Section 203 of FLPMA, the BLM may sell public lands for private fair market value if, through the planning process, the public land has been determined to be difficult and uneconomic to manage; the land was acquired for a specific purpose but no longer fulfills the Federal purpose; or disposal may serve important public objectives which cannot be achieved prudently on land other than public land.

Under Section 206 of the FLPMA, the Secretary of the Interior can also conduct land exchanges of equal value with the same State so long as the public interest is well served.

Mr. Speaker, the reason why there is a compact of 2000 on this specific issue is because the States can't do it without the concurrence of Congress. What is being proposed here, in terms of the survey, is really using a Federal standard.

Again, the question is: Why?

More importantly, Mr. Speaker, there are tribal lands involved; not only the tribes noted, but also different types of tribal lands, private tribal lands different from that which is held in trust by the Secretary of the Interior, and we are abdicating that responsibility.

We have a fiduciary duty to these tribal lands, and it should not be treated basically with, well, if we don't agree, maybe we can come forward and say we don't agree. That is not what this is about.

They are beginning the process. They are in mediation. The courts have been the mechanism by which landowners have views, and there is one going on. So why not let the process go?

It just seems to be out of Congress' authority to simply abdicate the responsibilities that we have and say: The States can do it. And then we pay for it. Now, that makes no sense.

We need to be able to say to those that we have a fiduciary obligation to, and others, that we have done our job; that the Federal Government has done its job.

They are in the process. So the question I have again is, why now? Why now? This has been going on since way—I read through all the different treaties and the different types of cases that came up since 1923, Oklahoma v. Texas. So why now?

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

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. GOHMERT), who understands this, who is coming from that State, and who also serves as the vice chairman of the entire Resources Committee.

Mr. GOHMERT. Mr. Speaker, I am grateful to the chairman of our committee. I appreciate the question asked by my colleague across the aisle: Why now?

The answer to the question, why now, is that this Federal Government has not done its job. This Congress has not done its job in complying with the aspirations of the Constitution.

When you have disagreement between documents, as we did between the Louisiana Purchase on the south border of the Red River, and Oklahoma going to the middle of the Red River—and, of course, the Red River changes as time goes on—then the Federal Government should have long since stepped in and said: Here is the land we are talking about. Here is where the borders will actually go.

I am amazed at times, we talk in terms of agencies, of bureaus, of departments, as if they are some independent country that deserves a place at the United Nations making policies and making executive decisions all their own.

These people work for us. The Bureau of Land Management does have some folks that don't understand that. They think they are an entity unto themselves, and they make policy. Well, that is not what the Constitution set up.

In fact, the Constitution, in the preamble, as my friends know, says: ''We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility. . . .''

This is what this bill is trying to do.

Now, last Congress, my friend, MAC THORNBERRY, had a bill that went ahead and took care of the issue, once and for all, and it was going to sell the land, and this dispute could be over. But since friends in the Senate were not able to come to a conclusion and they still just could not figure out what an appropriate disposition was, then my friend, Mr. THORNBERRY, has come back with this bill.

It is consistent with what every good parent will tell the child: Before you make a decision, gather all the evidence and information you can, then make a more educated, informed decision.

That is all this bill does, Mr. Speaker. It says, we are going to do a survey now. We are going to figure out what land we are talking about. And since the BLM has said we are not even going to even survey that land, we are going to leave it in dispute. We are not going to establish justice. We are going to worry about ''just us'' at the BLM.

We are not going to ensure domestic tranquility. We are going to create chaos, because when we create chaos, then we benefit. We get more land, we put people in jail.

Well, this is a simple bill, for heaven's sake. It says we are going to do a survey. We are going to see what we have got. That is all the bill does.

Why now?

Exactly. That is a great question. This should have been done 100 years ago or more than 100 years ago. It wasn't, so it is time to do it now and ensure domestic tranquility.

So all of the parties involved—not the BLM; they are not a party—the Federal Government, the Government of Oklahoma, the Government of Texas, and all the owners involved can, once and for all, have domestic tranquility.

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

I respectfully disagree. In the year 2000, when the Red River Compact was approved by Congress, and because of the nature of a compact and because of the requirements of our United States Constitution, which I know my colleagues abide by, it is a different situation. This could have been addressed if they wanted it addressed, but that is not what was done.

It is not over 100 years. We have intervening facts, like the compact of 2000, which afforded Congress the opportunity to look at this and, more importantly, the States the opportunity to decide.

Now, what did they do?

They disagreed on the high-water mark. They did not go into these specific issues. I am sure it is not something that occurred within the last 17 years. This is something that existed all along. So I call everyone's attention to the compact of 2000.

Last year's bill, H.R. 2130, contained in there the following statements: The Secretary disclaims any right, title, and interest to the land located south of the south bank boundary line in the affected area.

It also said that surveys conducted by the Bureau of Land Management before the date of enactment of this act shall have no force or effect in determining the south bank boundary line.

So to say that they didn't do anything—or it was being done—the law that was attempted to be passed, it passed out of the House. The bill that passed out of the House contains in it specific language that they are saying they don't want any of that to apply.

So, Mr. Speaker, we come back to, I guess, why? Why? The authority to survey and approve or disapprove the sale or transfer of public lands belongs to the Federal Government acting on behalf of the American people.

The Bureau of Land Management has held the authority to examine the accuracy of these surveys and make revisions, when necessary and, in this instance, an ongoing process to make changes began in 2013. It is not like nothing has happened. It has been ongoing. The BLM has the tools and authority to resolve this survey problem, and Congress should just get out of the way and allow the process to play out.

Instead, my colleagues across the aisle want to use the situation as an excuse to make progress on their larger goal, alienating public land.

Just last week, they voted to repeal the BLM's efforts to update their resource management planning process. BLM's new rule increased the opportunities for the public to engage in the management of public lands and help the agency respond more efficiently to changes taking place in the environment and across the landscape.

By repealing BLM's planning rule, Republicans are ensuring that more disputes like Red River will develop, more public land will be lost or destroyed, and more litigation will ensue, all costing taxpayers more money.

So, Mr. Speaker, when we talk about H.R. 428, it is just the latest step in a very unpopular, anti-public lands campaign. Americans across the country have equal ownership and right to access and to enjoy all the resources. Whether it is a national park in Montana, a national park in Hawaii that has a volcano, forest lands in Pennsylvania, or wetlands in Colorado, the opportunities afforded through these resources belong to us all, regardless of hometown, education, means, or experience.

Despite the fact that we are talking about a 160-mile stretch of the Red River, by cutting away at the authority and management tools Federal agencies have at their disposal, this bill furthers my colleagues across the aisle's national public lands agenda and threatens the multiple-use principle that governs all BLM lands, all while costing the taxpayers the money.

It is like adding insult to injury. Not only do we pass a law, but we are also paying the States to do the survey.

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

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

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

The SPEAKER pro tempore. The gentlewoman from Hawaii has 11½ minutes remaining.

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

I want to conclude by acknowledging that I have read all of the various statements and the cases about the property owners along the Red River. I do understand that providing them with certainty and assurance that their property rights are not threatened is a goal that many share.

However, it would be unprecedented and would only further complicate matters to transfer the Federal survey authority over public domain to the States. This is not the way our public lands should be managed.

There is a transparent, objective process to determine ownership along the Red River. This bill subverts that process and sends $1 million in Federal taxpayers' money for a State purpose. This is neither fair nor just outcome.

With the long, complicated history and various ownership claims along the Red River, BLM has to be allowed to complete its planning process and land survey. It also needs the right to have a say, which this bill, H.R. 428, eliminates that right.

Congress should not determine the outcome of what essentially amounts to a three-way property dispute by conceding Federal authority to a State. BLM has its tools it needs. We just need to get out of the way and let them do their work, which they have been trying to do over the years; and we do know 2013 has begun the process.

I urge my colleagues to reject the bill.

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

□ 1545

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Now, in summary of what we have heard today, this situation is a result

of a silly and suspect survey that has slapped the citizens with uncertainty and soured them for the security because seizing citizen sites has taken place.

The question was asked: Where is BLM? That is a good question. Where is BLM? They started this problem 8 years ago and have yet to do anything to try and solve the problem. That is why this bill is here before us because BLM has not done their job. Using a poor survey process, they have simply put people who have done nothing wrong in doubt of their ownership of their property which they have had for generations and have been paying taxes on for years. Yet, in 8 long years, BLM has done nothing to solve the situation to give them the certainty so they know where they stand.

That is why the private citizens went to court. The only reason it is in court is because these private citizens were so frustrated with BLM taking so long to do something that could have been done within a matter of weeks, and yet it is now 8 years into a process simply because BLM used a flawed survey. Instead of using the gradient boundary survey method that the Supreme Court suggests, they did something else which brought them to the unusual conclusion that BLM actually owned 90,000 acres of land on this riverbank that they have never had in their history.

Later, they realized that was an unusual claim, so they lowered it down to: I own 30,000 acres of land—but 30,000 acres of land that has been in private property for years, for generations, they have been paying taxes on it, and now their land is in limbo. They can't do anything simply because BLM has refused to do its job.

It is not just here in Texas. Go across the State boundary to Louisiana where Lake Bistineau has the exact same problem with the exact same survey problems from the same agency, BLM. Go all the way to Colorado with Elkhorn Ranch. Once again, survey problems done by BLM which placed claims on private property that are exorbitant and yet moves at a snail's pace to try and solve the problem.

One of the first issues I dealt with when I came to Congress was Hyde Park, and, once again, the Federal Government—this time it was the Forest Service—taking claim on lands that had been, for generations, in private property and refusing to try and work with the property owners to solve the problem. That is what has been going on for 8 long years with the boundary line between Texas and Oklahoma.

Why are we coming here with a bill? Simply because you have got to solve the problem. You have got to fix the problem for people.

I have to also say something. The misrepresentation of the BLM planning rule that was presented is a total misrepresentation. In fact, when we removed that rule, the 2.0 planning rule, we did it because people want to have their voices heard and are eliminated if that planning rule goes into effect. That is why it has to stop, so this type of situation does not happen again.

Some people have said this may be an unprecedented concept. Actually, our realization that somebody has to handle the situation by actually allowing Oklahoma and Texas to pick qualified surveyors, do the survey—and do the survey—and then coordinate with the tribes so they come up with a process, that is exactly what should have happened in 2009. Because BLM didn't do it, we are going to bring a bill to make sure they actually get something done.

This has been supported by the Texas and Oklahoma Farm Bureaus, the Texas General Land Office, Texas Southwest Cattle Raisers Association, and the people who live in this area who want to have some kind of conclusion so they can have their property rights respected.

Now, it has been said what we are doing is unprecedented—perhaps. What we are doing is trying to solve the problem to help people; and if it takes an unprecedented action by Congress to solve people's problem and let them move on with their lives, then that is the responsibility of Congress. We are the ones who establish what the policies should be, not some executive branch agency of government. It is our responsibility.

We are doing exactly what the people expect us to do by saying 8 years of unexpected and unanswered questions is far too long. Solve the problem and help people so they know what is their private property and what is not their private property and they can move on with their lives. If that is unprecedented, then it is about time we did something that is unprecedented. That is important.

That is why this bill is here, and that is why this bill is here now. It is coming at the beginning of the session because we cannot wait longer for the BLM to actually do what they should have done in 2009.

Now, Mr. Speaker, I want you to realize we are here on Valentine's Day. There is nothing special about that, but this is an issue where there has been no love lost. In fact, the landowners along this river have been simply soaked. But deep in the heart of Texas—all right, I know it is a boundary line, but I have got to get the heart in there some way. Deep in the heart of Texas, we are coming forth with a bill that is showing that the love for people who have paid their taxes and lived on this land for generations is not forgotten and that BLM has committed a crime of the heart with this land grab.

Indeed, Chairman THORNBERRY has passionately defended the interests of his constituents who just want to know the government loves them. That is why this bill is here. That is why it needs to be supported, and that is why I urge you to vote ''yes.''

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 99, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill 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 bill.

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

Ms. HANABUSA. 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.

RECESS

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

Accordingly (at 3 o'clock and 52 minutes p.m.), the House stood in recess.

□ 1615

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 4 o'clock and 15 minutes p.m.

RED RIVER GRADIENT BOUNDARY SURVEY ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the bill (H.R. 428) to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 250, nays 171, not voting 10, as follows:

[Roll No. 92]

YEAS—250

Abraham	Brat	Comstock
Aderholt	Bridenstine	Conaway
Allen	Brooks (AL)	Cook
Amash	Brooks (IN)	Costello (PA)
Amodei	Buchanan	Cramer
Arrington	Buck	Crawford
Babin	Bucshon	Crist
Bacon	Budd	Cuellar
Banks (IN)	Burgess	Culberson
Barletta	Byrne	Curbelo (FL)
Barr	Calvert	Davidson
Barton	Carter (GA)	Davis, Rodney
Bergman	Carter (TX)	Denham
Biggs	Castro (TX)	Dent
Bilirakis	Chabot	DeSantis
Bishop (MI)	Chaffetz	DesJarlais
Bishop (UT)	Cheney	Diaz-Balart
Black	Coffman	Doggett
Blackburn	Cole	Donovan
Blum	Collins (GA)	Duffy
Bost	Collins (NY)	Duncan (SC)
Brady (TX)	Comer	Duncan (TN)

Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
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
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
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
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
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
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—171

Adams
Aguilar
Barragán
Bass
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)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Ellison
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jayapal
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
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
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
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
Velázquez
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Beatty
Demings
Engel
Gallego
McCaul
Mulvaney
Rice (NY)
Rush
Visclosky
Zinke

□ 1638

Ms. MCCOLLUM, Messrs. JEFFRIES, and KILDEE changed their vote from ''yea'' to ''nay.''

Messrs. PETERS and DOGGETT changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MCCAUL. Mr. Speaker, on February 14, 2017, I missed both voting sessions. If present, I would have voted as follows:

''Yes''—Previous Question on H. Res. 99.

''Yes''—H. Res. 99—The combined rule providing for consideration of the bill H.R. 428—Red River Gradient Boundary Survey Act and of the bill H.J. Res. 42—Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

''Yes''—Previous Question on H. Res. 116.

''Yes''—H. Res. 116—The combined rule providing for consideration of the bill H.J. Res. 66—Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees and of the bill H.J. Res. 67—Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

''Yes''—H.R. 428—Red River Gradient Boundary Survey Act.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 43, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF FINAL RULE BY SECRETARY OF HEALTH AND HUMAN SERVICES; PROVIDING FOR CONSIDERATION OF H.J. RES. 69, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF FINAL RULE OF DEPARTMENT OF THE INTERIOR; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM FEBRUARY 17, 2017, THROUGH FEBRUARY 24, 2017

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 115–12) on the resolution (H. Res. 123) providing for consideration of the joint resolution (H.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients; providing for consideration of the joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to ''Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska''; and providing for proceedings during the period from February 17, 2017, through February 24, 2017, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. BURGESS. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 23

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, February 28, 2017, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AMERICAN HEART MONTH

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today, there will be a lot of focus on hearts, and I would like to talk about heart health.

February marks American Heart Month, which is an annual awareness

campaign for the number one killer in the United States—heart disease.

The first American Heart Month was declared in 1964 by President Lyndon B. Johnson. While the death rate from heart disease has dropped considerably since the 1960s, we still have much work to do.

More than 17 million deaths a year are attributed to heart disease and stroke. But studies show that 80 percent of cardiac events and strokes are preventable.

What is truly important for Americans to know is that heart disease is within their control if they have a family history where a loved one has suffered, or even died, from heart disease.

The good news is that the risk of heart disease can be lowered through a healthy lifestyle and regular checkups.

It is my hope that all Americans will take their heart health seriously and educate themselves on how to lead a healthy life in the spirit of American Heart Month.

PROVIDENCE COLLEGE CENTENNIAL

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

Mr. LANGEVIN. Mr. Speaker, on February 14, 1917, the Diocese of Providence, the Dominican Friars of the Providence of St. Joseph, and the State of Rhode Island established Providence College.

Like our great Nation, Providence College was founded on principles of tolerance and acceptance. Its charter states that no student shall be denied admission or honors due to religious opinion. One hundred years later, Americans would do well to follow this example.

Led by Reverend Brian Shanley, the president of this outstanding academic institution, Providence College continues to enrich the lives of its students and the State of Rhode Island. It is a leader in research and academic excellence, and its scholars encourage young people to question the world around them and serve their communities.

The Ocean State is fortunate to be home to such a venerable institution. As a lifelong Rhode Islander, I am so proud to celebrate its centennial and recognize its continued success today.

Happy 100th anniversary, Providence College.

□ 1645

NORTH KOREA IS A TERRORISM STATE

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

Mr. POE of Texas. Mr. Speaker, when I met with Admiral Harris of Pacific Command last year, I asked him which nation's threats concerned him the most. He quickly replied: North Korea.

Proving Admiral Harris correct, North Korea illegally launched yet another menacing ballistic missile. This was a high-tech, pre-fueled rocket that can be launched quickly. This type of rocket has a range of about 1,800 miles—thus, making it an immediate threat to South Korea and Japan as well as our troops that are stationed there.

North Korea has even bigger plans. Kim Jong-un reportedly plans to develop submarines from which to launch the missiles, which could threaten the United States. The last administration pursued an ignorant strategy called strategic patience. That policy clearly failed. North Korea's program is now stronger than ever. Kim Jong-un's threats continue to grow bolder and bolder with no repercussions.

Once upon a time, the United States had North Korea on the State Sponsors of Terrorism list. It is time to put little Kim back on that list because he is a world terrorist and a threat to world peace, and he has earned that distinction.

And that is just the way it is.

ACCESS TO COUNSEL ACT

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

Ms. JAYAPAL. Mr. Speaker, yesterday I introduced my first bill, H.R. 1006, the Access to Counsel Act; and it was a great pleasure to work with my colleague in the Senate, Senator KAMALA HARRIS, who introduced that companion version. The legislation is a direct response to the President's misguided Muslim ban.

In the chaos following the release of the executive order, people across the country were detained at airports and denied opportunities to consult with hundreds of attorneys who were there ready to provide legal support. Some of these people were deported without any access to due process. Even now, we are getting reports of people who are literally relinquishing their legal permanent resident status without consulting with anybody because they don't understand what they are signing.

Detention and deportation without due process happens far too often, even though due process is a right that we hold so dear as Americans. For years, we have heard these cases of people being denied the right to counsel, and my bill, the Access to Counsel Act, ensures that anyone who is detained by CBP or held in ICE custody will get access to counsel.

This is a commonsense measure, and I know that there are many who are fearful of what will come next. I want them to know that we will continue to fight for their rights and for their access to due process.

CELEBRATING THE ELIZABETH TAYLOR AIDS FOUNDATION

(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 today to celebrate The Elizabeth TAYLOR AIDS Foundation for its efforts and commitment to transform the lives for those living with HIV/AIDS.

Since its creation in 1991, this foundation has advanced Elizabeth Taylor's dream to create a future free of HIV/AIDS by supporting organizations delivering care and services for people living with this disease.

Today, the Foundation remains a leading player in the fight to end the HIV/AIDS epidemic by providing grants to global programs that seek to fund education, to raise awareness, and to create innovative treatments for patients.

As the co-chair of the Congressional HIV/AIDS Caucus, I have had the opportunity to work with this foundation over the years to help improve the lives of patients and advance research efforts that can lead to a cure for this terrible disease.

I celebrate The Elizabeth Taylor AIDS Foundation, and I look forward to continuing to work with it to realize our common dream of an AIDS-free generation in the U.S. and, indeed, throughout the world.

CONGRATULATIONS UCONN WOMEN'S BASKETBALL TEAM

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

Mr. COURTNEY. Mr. Speaker, at 11 p.m. last night, the UConn women's basketball team once again stunned the sporting world and, really, the Nation by winning their 100th straight win against a very good team, the University of South Carolina.

Again, Mr. Speaker, the UConn women just continue to defy the laws of gravity. They have won 11 NCAA titles, again, shattering all records before them, and the 100th win was exceeding the last record which the UConn women set a number of years ago in terms of consecutive wins.

Coach Geno Auriemma has an extraordinary program, which has almost a perfect record of graduation. These are true student athletes. Last night, Gabby Williams, Napheesa Collier, Kia Nurse, and Crystal Dangerfield once again made us proud in the State of Connecticut to be the home of real champions.

Again, congratulations. You are in unchartered waters now at 100 wins and counting, and we look forward to more success in the future.

Go Huskies.

UPDATE ON OROVILLE DAM

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

Mr. LAMALFA. Mr. Speaker, well, it has been national news, the situation going on in northern California, where the Oroville Dam is. Obviously, there has been some damage and destruction to the main concrete spillway, as well as the situation with the lake rising and finally going for the first time in 48 years over the emergency spillway.

The dam itself, the earthen structure, 770 feet tall is solid. The emergency spillway is being evaluated, but so far it looks stable itself. It is the issue of the soil in front of it that needs to be stabilized during these days where there is dry weather, where it can be stabilized with rock and concrete.

So what we need to know is: Why did this happen?

This would be what we do later on. First, we need to take care of the emergency situation, the State resources and Federal resources pulling together to make sure people are safe and that the dam remains sound and that we don't lose the structure.

It looks good. I think things are stable for right now. We also need prayer for no more rain for a while, or at least not overwhelming amounts of rain. So it looks good.

We just need patience also from the people that are in the flood plain that have been evacuated to listen to their emergency personnel and follow with that so that they are kept safe during this time of the emergency.

So I think good efforts are underway, and we will investigate later on what went wrong.

COMMITMENT TO CIVILITY

The SPEAKER pro tempore (Mr. GALLAGHER). Under the Speaker's announced policy of January 3, 2017, the gentleman from Louisiana (Mr. JOHNSON) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. JOHNSON of Louisiana. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

Mr. JOHNSON of Louisiana. Mr. Speaker, today a bipartisan group of 46 freshman Members of this 115th U.S. Congress, representing red and blue States from coast to coast, released a document that we have entitled the ''Commitment to Civility.''

This evening, I am grateful to be joined on the floor by 21 different leaders of our class, representing diverse districts in 15 different States across our great Nation to speak to this important and very timely issue.

This commitment document was created in early January following our initial meetings together as a class. We discussed our mutual intent to serve the best interest of the country, and to return to statesmanship that was revered and modeled by the great leaders of our history.

I drafted this document to memorialize our Members' agreement to, among other things, work towards restoring collegiality and civility in the Congress; encouraging more productive dialogue; and building consensus and strengthening the public's trust in America's institutions.

This document is not intended in any way as a criticism of anyone else in any other Chamber or branch of the government. Rather, it represents the mutual commitments of the Members of our class that we have made among and between ourselves.

As we teach our own children, we often have no control over what others may do, but we are ultimately responsible for our own actions. Personally, I want to say how encouraging it is to work with others from across the political spectrum who want to lead by example and work to restore civility in our public discourse. There may never have been a more important time for that very important effort.

I am one who is regarded as probably being among the most conservative Members of the Congress, and I will never deviate from my core principles. However, I am mindful to always remember that while some of my colleagues and I may have very different ideas and core political philosophies, at the end of the day, we are all Americans and we are all made in the image of God; thus, we believe we should act accordingly.

Before my esteemed colleagues come to share their thoughts on this important subject, I would like to introduce and read into the CONGRESSIONAL RECORD, the document we refer to as the ''Commitment to Civility.'' It reads as follows:

''As new Members of the United States House of Representatives and as individual citizens we recognize the gravity of the responsibility we have been given and the significance of this moment in the history of our extraordinary country.

''America remains the most free, most powerful and most prosperous nation in all the world, and yet we face significant challenges. Among these challenges has been an increasing division in and coarsening of our culture fueled too often by the vitriol in our politics and public discourse. One result has been a loss of trust in our institutions and elected officials.

''We believe there is a better alternative.

''Although we represent both political parties and a wide range of individual views across the political spectrum, our common and sincere aims are to serve the needs and interests of the American people, to work with one another and the leaders of our respective parties to encourage greater confidence in our institutions, and to set an example of statesmanship for the younger generation of Americans that will follow.

''To this end, we are dedicated to showing proper respect to one another and all others, encouraging productive dialogue, and modeling civility in our public and private actions. While we may vehemently disagree on matters of law and policy, we will strive at all times to maintain collegiality and the honor of our office.

''We believe that a leader can be cooperative and conciliatory without compromising his or her core principles, and we will remember that our political rivals in Congress are not our enemies—but rather our colleagues and fellow Americans. We also believe that maintaining a spirit of mutual understanding and cooperation will help make government work more efficiently and effectively, help build consensus and restore the public trust, and, ultimately, serve as a positive influence on society at large.

''For all of these reasons, we hereby pledge our names to this Commitment to Civility on this 10th day of January, 2017, in Washington, D.C.''

The document is signed by 46 incoming Members of the 115th Congress.

Mr. Speaker, at this time, I am delighted to yield to 21 different leaders of our class, representing both political parties and 15 different States across our great land. Each will express their own thoughts on this important subject.

I begin by yielding to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Speaker, I thank my colleague, Congressman MIKE JOHNSON from Louisiana, for helping coordinate this effort.

When I got here to Washington for orientation, I will never forget very early on, one of my colleagues, Congressman JODEY ARRINGTON from Texas, came up to me and said: I want to introduce myself. And he did.

He was the first Republican that came up to me and said: I want to get to know you on a personal level. I want to be your friend because we are going to be working together.

I have to tell you how impressed I was that somebody was reaching out across the aisle because they wanted to develop a personal relationship, knowing that we would be able to work together.

Later on, I got to meet the rest of my colleagues at Harvard, where they have a bipartisan program that is a wonderful program and gives you an opportunity to help build these relationships, which I think is so important, especially today in our time.

We just got off one of the ugliest elections in history where it really felt as if civility disappeared. Today it

sometimes still feels that way, which is why I think this is such an important effort.

As Members of Congress, we need to set an example of statesmanship for younger generations of Americans to follow. We must remember that every person should be respected. Somebody yesterday said something that really struck a chord. It is not that we need to agree on everything or that we need to agree all the time, but we need to learn to disagree better.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from Michigan (Mr. BERGMAN).

□ 1700

Mr. BERGMAN. Mr. Speaker, I rise today to speak in support of the freshman class's commitment to civility.

Before the Revolutionary War, a 16-year-old George Washington copied 110 rules for civil behavior out of his school book. The last of Washington's rules of civility, as they are now called, is this: ''Labor to keep alive in your breast that little spark of celestial fire called conscience.''

Conscience: That should be our guide in everything we do, both here in Congress and back home—for me, in Michigan's First District. Conscience is why, as a Member of the freshman class of the 115th Congress, I have made a commitment to open and civil debate.

We are facing many challenges in our country. And the folks here and back in Michigan, all across the land, on both sides of the aisle, have many different ideas about where we need to be and what we need to do to get there. That is democracy at work.

Being civil means that the best and most effective ideas have a real chance to be heard. If we truly desire to move forward as a country, we have to do it together. We must treat each other with dignity and respect. We must be civil.

This freshman class has dedicated itself across party lines to setting the example for ourselves and for our colleagues here in Congress and for all of our constituents.

Mr. Speaker, I will uphold these standards, and I trust that my colleagues will also do the same.

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank the general for his service to our country.

I yield to the gentleman from New York (Mr. SUOZZI).

Mr. SUOZZI. Mr. Speaker, I rise today in support of the freshman class's effort to encourage civility in this Chamber and in our political discourse generally.

Americans are divided. Hate speech and hate crimes are spiking. Fake news is increasing. Terrorism threatens the world, and 60 million refugees are displaced across the globe.

The public is convinced that elected officials don't seem to get much done regarding the shrinking middle class, immigration reform, climate change, gun violence, and a whole bunch more. What should we do?

Love thy neighbor: That may seem like a simplistic public policy prescription, but love thy neighbor is a concept that can be found across many traditions.

If we are going to get Republicans and Democrats to actually come together as people of goodwill in search of the common good, it is going to require us to rely on some shared principles.

Faith and religious beliefs are the most effective, existing sources of commonality that may be relied upon. If people of different political philosophies actually believed that their opponents were similarly motivated by a common set of values to love thy neighbor, I believe we would get a lot more talking and problem-solving and, yes, less yelling and screaming.

Even nonreligious Americans have a fundamental belief in the religion-based concept of love thy neighbor. Discussing issues civilly and rooted in shared faith and values will result in more good work being accomplished.

The good news is that, during the first 6 weeks, I found that many of my colleagues seemed genuinely inspired by their faith and their values. Maybe if we all agree to be civil and recognize that many of us here are motivated by the same command to love thy neighbor, we might be a little more effective.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. GALLAGHER).

Mr. GALLAGHER. Mr. Speaker, I come from a place called Wisconsin. Besides having the world's best cheese and football franchise, we are known for being good neighbors. You may have heard of the phrase ''Wisconsin nice.'' Well, that is a real thing, as any Bears or Lions or Vikings fans who have come to Lambeau Field and been greeted, not with jeers, but with a, welcome, it is good to have you have found out.

The disparity between how we do business in Wisconsin and how business gets done or doesn't in Washington, D.C., couldn't be wider. Well, I am of the humble opinion that the world needs more of what we do in Wisconsin and less of how Washington, D.C., traditionally operates.

At a time when politics seems more deeply divided than ever, further debased by an endless media cycle that rewards vitriol and scandal, at a time when faith in our basic institutions is diminishing, I think the overwhelming majority of the American people are looking for something better. They sent us here to fight for our ideas, not to demonize the other side in a cynical attempt to get on TV or fundraise. The American people voted against the politics of the past, which only seeks to divide us and stir up controversy.

We can do better. We must do better. That is why I salute all of my colleagues for joining in this effort. I believe we, the freshmen Members of the 115th Congress, can be different. I believe that, through working together, we can break through the politics of the past and offer something better for the American people. I believe we can prove there is still room for civil, serious discourse in our political system.

Now, a commitment to civility doesn't mean we are going to agree on everything. I suspect there will be legitimate battles ahead, but let it be a battle of ideas not political theater. I intend to come armed to that fight with all the weapons I have at my disposal, foremost among them, my fervent belief in my conservative ideas. And I don't expect to convert my Democratic friends, but I expect them to come armed with their ideas, and I intend to listen. In that process of serious debate, maybe—just maybe—we will learn something from one another and find ways to fix our Nation's problems together.

Imagine if we were able to do that. Well, I am looking forward to trying.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I too am honored to be part of the 115th Congress, the freshman class, a group of people who want to work together.

I think back to my campaign the last two years, and one of the most common concerns I had from people were: Why can't people in Congress get along? Why can't you respect each other?

What I saw day after day was the left and the right yelling at each other and the press throwing gasoline on top of that fire.

I remember, growing up, my dad had a saying: If you don't have something good to say about somebody, then don't say it. That is always something that I have taken to heart.

I think back to my sixth grade teacher, Mrs. Tyner. Her word for the entire year was ''respect.'' She taught us to respect ourselves and respect each other, and that is what I would like to bring to the 115th Congress, is respect for each other, for each other's points of views, and never question someone's intentions or motivations.

I believe in iron sharpening iron and coming up with better ideas together. I believe in defining problems together, to talk about the problem, and then discuss solutions together.

The hope is that you and I, my friends across the aisle and down the aisle, together we can come up with better solutions for this country. I believe that national defense is not a Republican or a Democrat issue. I believe the economy is not a conservative or a liberal issue. I think these are American issues that we need to fight to make better. I certainly don't think that health care is a Republican or Democrat issue.

My pledge is to work with civility, to work with respect toward my colleagues across the aisle and down the aisle. I look forward to making America a better place to live.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from California (Mr. CARBAJAL).

Mr. CARBAJAL. Mr. Speaker, I rise today to recommit myself to work first and foremost for the interest of the American public, regardless of political ideology.

I am under no illusion about the overwhelming partisanship that permeates this Congress. But I believe that, as vigorously as we debate our policy differences, we should also commit to upholding the principles of civility and respect to encourage productive discourse. To this end, we must work together, when at all possible, to advance the policy that serves our constituents and our country.

In this effort, I reflect on my service in the United States Marine Corps. We did not first stop to question whether our fellow marine was a Democrat or a Republican. We counted on each other to protect and defend our country. That is the approach to service we should aspire to in this distinguished legislative body.

On the issues of national security and to provide for the needs of the American people, there is no doubt in my mind that there is more that unites us than divides us. I look forward to working with my colleagues here today to do just that.

In the infamous words of President Kennedy: ''Let us not seek the Republican answer or the Democratic answer, but the right answer.''

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. Mr. Speaker, I rise today with my fellow freshmen of the 115th Congress and commit to civility.

The 435 of us represent 320 million Americans. With a population that large and that diverse, we are going to have our differences. We are going to disagree which direction the Nation needs to go. With a free and open democracy, we all have that right. Vigorous discussion makes us stronger.

However, despite our differences, we are all still Americans, we want what is best for our country, and we must keep our debates respectful. We are all Americans first before we are Republicans, Democrats, Independents; and we can't forget this.

As Americans, we do have major issues facing us; and the world is looking to us to be leaders and find solutions. We must remain civil to each other to achieve this goal. Let's not forget that ISIS will never ask if we are Republicans or Democrats. The unemployment line doesn't ask if we are Republicans or Democrats either. The Federal deficit doesn't care if we are Republicans or Democrats. These are shared issues, and we are all in this together.

Politics is a contact sport, or so I am told. It has been that way since George Washington was President and Thomas Jefferson funded an opposition paper against him, all the while serving in his Cabinet. Still, today, character assassinations are a common occurrence in our political landscape, and it is wrong. Americans are at our finest when we work toward our common goals respectfully.

I spent nearly 30 years in the Air Force, and, during that time, I was fortunate to hold five commands. It didn't matter to me or our mission if a subordinate or a teammate was a Republican or Democrat. We fought in Iraq, stood up missile defenses in Israel, and conducted missions worldwide as Americans, not as Republicans or Democrats.

In the Air Force, we were all Americans, we are all airmen, and we all had one common goal. We need more of that on Capitol Hill. We are all Americans, we are all Members of Congress, and we all care about the future of our country.

One day, like all of us, I will meet our Creator. And when I do, I believe He will not care about what political party I associated myself with, but He will care how I treated my brothers and sisters. Let us agree to be a bright light on how to treat each other while we debate the issues we care about.

Let us, in the 115th Congress, all agree to work together, be civil to each other, be respectful with each other, and remember we are Americans before we are Republicans or Democrats.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from California (Mr. PANETTA).

Mr. PANETTA. Mr. Speaker, I thank the gentleman from Louisiana (Mr. JOHNSON) for this opportunity.

Mr. Speaker, today, I rise to discuss our commitment to civility, a promise that I have made to my constituents at home and a promise that I have made to my colleagues here in Washington, D.C.

Prior to my being sworn in, during my campaign of 2016, the number one question I heard and I received from the people in my district on the Central Coast of California was: Why would you want to go to Washington, D.C., right now?

I heard that over and over and over. I heard that people were dissatisfied with the dysfunction in Congress. I heard that they were disgusted with the partisanship of Congress. I heard that they were disheartened with our system of government. And I believe that it is that sentiment that lent to the denouement of November 8.

I admit I was disappointed by the Presidential election, and I believe that partisanship that was displayed during that election continued in Washington, D.C. It started when I got here for new Member orientation.

When we got here as freshmen, Republicans and Democrats, we were automatically split up. I did not get to know my fellow freshmen Republican colleagues here in D.C. It wasn't until we went on to Boston and Virginia that we actually took time to get to know each other, where they are from, and what they were about.

What I can tell you—the thing that I say that gives hope to so many people—is that my freshman class heard the exact same things during this past election: That it is time that we get things done and that we do it together.

Now, I believe that once we get past these turbulent times at this point, I do hope we can work together on issues that affect our country, be it immigration reform, investment in our infrastructure, and ensuring that our health care is not just accessible but affordable.

□ 1715

But I also realize, as many of you, that that is easier said than done. Yet I believe that to get things done in Congress, you have to treat it like a marathon and not a sprint, and I believe that we begin this race by building relationships.

My predecessor, Congressman Sam Farr, spent 23 years representing the place I call home on the central coast of California. He will tell you that for most of that time he was in the minority, yet he was able to get numerous things done; and he will tell you that the way he was able to do it is by relationships, with Democrats and Republicans.

I can tell you that Sam's predecessor would say the exact same thing; and I can tell you that Sam's predecessor and his three roommates, whom I was able to live with back in the eighties, would all say the same thing, that it is the personal chemistry amongst people here in Washington, D.C., that will lead to our ability to compromise professionally. That is what we must develop.

That is why I am honored and pleased to enter into this commitment of civility, for that is the first ingredient to that chemistry that we must strive for. And I believe that this commitment that we have all taken to each other, to our communities, and to our country, that will lead to our constituents' confidence, not just in Congress, but in our democracy.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. LEWIS).

Mr. LEWIS of Minnesota. Mr. Speaker, I rise today to join in this commitment to civility.

First off, I want to thank all of my freshmen colleagues on both sides of the aisle for participating today and going through the orientation and getting to know one another. It was a wonderful experience. I had the pleasure of talking with many of them over the last few weeks, and they share many of the same goals as I do, as this entire body does.

I agree with many of my colleagues on many issues. I can safely say I also disagree with some of them on a few issues. But while we may disagree, we do not assume that they are acting in bad faith. Rather than dismiss those who disagree with us, we must use that disagreement to challenge ourselves to be better.

You see, this process isn't easy, and addressing the issues our Nation is facing isn't easy either. In fact, I would argue, our ability to get things done, why we were sent here, rests on the ability to participate in productive political dialogue and discourse.

So substituting sincere communication, honest debate with grandstanding or a political ambush or shouting louder than somebody else is too clever by half, and it will not get the things done that we need to get done. Shouting louder than your neighbor doesn't accomplish anything other than silencing your neighbor. In fact, that is not progress; that is an affront to free speech and the ability to listen to all of those around us. It doesn't help, when we shout over each other, help you understand your neighbor's beliefs, and it doesn't help your neighbor understand your beliefs.

Now, I am reminded of this quote that gets used all too often these days: While I disapprove or might disapprove of what you say, I will defend to the death your right to say it.

So we may disagree with each other, we may even disapprove of what somebody else says, but it is important to know, it is always important to let each other say it. Freedom of speech is not limited to the loudest among us; it is a right afforded to all of us.

Of course, this commitment to civility doesn't mean we don't believe in the essence of free speech or the right and necessity to disagree with one another. We will. It simply means that we will do it in way that respects the rights of everyone. We believe, and so should those who oppose our policies, that the right to speak also entails the right to be heard.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Speaker, I rise today to address our commitment to civility.

Let me quote: ''Civility is not a tactic or a sentiment. It is the determined choice of trust over cynicism, of community over chaos.'' President George W. Bush spoke these words at his first inaugural address in 2001. It was a time for new beginnings then, and it is a time for new beginnings now.

I cannot think of a more well-intentioned way to begin the 115th Congress than to join my awesome freshman class, from both sides, in committing to work together civilly to unify and further strengthen our great Nation. Through this commitment, we promise to put people before politics, to thoughtfully advocate for the needs of our communities, and to renew confidence and trust in our political system. Although we may disagree on a number of issues, this commitment we make to each other today ensures that we will work together to always promote a positive and constructive discourse in our critically important work as representatives of the American people.

This job is not about any one of us individually, but about the hundreds of thousands of people we represent throughout our districts. As a Representative of the people's House, we are expected to provide positive leadership, a strong voice, and to set the example for the American people.

The ability to agree to disagree and to voice our differences is a critical part of the unique freedoms we cherish as Americans, but we must always do so respectfully. Malicious discourse is a disservice to those who risked their lives to fight for our freedoms and everything that our great Nation stands for.

It is truly unfortunate that the tone of political discourse throughout our Nation has become so contentious and hostile. It is detrimental to fostering an open and productive dialogue and the unity of our Nation. The commitment our class makes today solidifies this promise to work together peacefully to provide leadership and inspiration to the American people, while further promoting the freedoms and individual rights that make our Nation the greatest in the world.

We must look at 2017 positively, as a time for new beginnings. In the wake of new leadership, we are provided with a new opportunity for a fresh start and the chance to advance our shared mission of putting the American people first. It is my hope that the efforts of our great freshman class today, which, I argue, could be one of the greatest of this august body's history, will inspire people throughout the Nation to turn toward civility and to always treat each other with respect, despite our differences.

I thank my freshman colleagues who have all accepted—almost all have accepted—this particular commitment, and I especially would like to thank the gentleman from Louisiana for leading us on this very important issue.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentlewoman from Delaware (Ms. BLUNT ROCHESTER).

Ms. BLUNT ROCHESTER. Mr. Speaker, I rise to add my voice to the chorus of new Members of the 115th Congress.

It is fitting that we make this commitment on Valentine's Day. It is a holiday to show appreciation and also love, and I think that is what this is really about. It is about our love for our country and our love for our friends and families and neighbors.

It is also about civility, and to me, civility is not about the what. We can all disagree on the what. Civility is about the how. It is about our tone. It is about our tenor. It is about the words that we choose to use, and it is about respect.

As freshmen, our class is special. I feel we are special. Just like Claudia said, we are actually awesome. And it was really telling that, at one of our retreats, orientations, we came together and we asked if we could just be alone, no staff, no one else in the room—just us. We actually said: Let's try to find common ground. Who here has a port? Who here has served in public life? Again, our goal wasn't to find ways to divide, but to find ways to come together.

If we expect civility from others, including our children, then we need to model it. Our signatures on this document show our commitment to civility, to caring, and, most of all, to getting things done. That is what America wants, and that is what America deserves.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Speaker, it is an honor to represent the people of Pennsylvania's 16th Congressional District and to serve the community in which I grew up.

I was very pleased a few months ago to come to Washington and join the new Member orientation. It was a great opportunity for all of us to meet our new colleagues on both sides of the aisle; and I must say, as has already been mentioned, I was impressed.

As we got to know one another and talk about our vision for this upcoming Congress, we all agreed we wanted to work together as much as possible. We decided we wanted to work to find common ground.

Today, across Pennsylvania and across America, finding common ground between Republicans and Democrats looks and sounds nearly impossible. We here in Congress may disagree on the issues, we may disagree on the solutions, but that is good. That is good because the purpose of this Chamber is to be a deliberative body. It is good because, collectively, we represent a wide range of issues across the political spectrum—we are supposed to—and, in fact, we are even expected to disagree, but we must always do so in a civil and respectful manner.

We must understand that, while we may disagree on the issues and solutions, we share, all of us, the common goal of serving our constituents and of improving their lives. We must understand that just because we may disagree with one another, that doesn't mean the other side is un-American or out to get us.

Arthur Brooks, President of the American Enterprise Institute, calls this ''political motive asymmetry.'' Brooks says: ''A majority of people in our country today who are politically active believe that they are motivated by love but the other side is motivated by hate.''

Now, I know I might disagree with some of my colleagues, but I can tell you, they are not motivated by hate. If we are to be successful in this Chamber and in discussions in our communities across the country, we must rid our discourse of this political motive asymmetry. Then we will be able, together, to find solutions more easily to the problems that we face.

I am hopeful that our freshman class, along with the rest of our colleagues on

both sides of the aisle, will be able to do what is stated in our commitment to civility: ''make the government work more efficiently and more effectively, help build consensus and restore public trust, and, ultimately, serve as a positive influence on society at large.''

We here in Congress are charged with an enormous task. In today's divisive and heated public discourse, we must be an example to our constituents by showing respect for one another at all times.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Speaker, I rise to support the freshman initiative on civility. I thank Congressman JOHNSON for his leadership.

I want to echo the remarks of Congressman SUOZZI and Congresswoman BLUNT ROCHESTER about getting things done. We have disagreements on many issues. I don't think I voted with the Republicans on almost any issue since I have been in this body. On economic issues, I come from a perspective of economic populism and a very different perspective than Members on the other side.

But we also have areas of common agreement. Congressman GALLAGHER and Congressman ARRINGTON have talked about term limits, and that is an area of potential agreement. Congressman ROONEY has talked about getting PAC money out of politics. Congressman WILL HURD has talked about cybersecurity and tech jobs.

So my view is that, in areas where we disagree, we should disagree with spirit and conviction, but that doesn't mean that there won't be areas where we can agree.

And on a personal note, Congressman FITZPATRICK represents the district where I was born and where my parents are, so I have to be civil, certainly, to him and the other side.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from Florida (Mr. CRIST).

Mr. CRIST. Mr. Speaker, I rise to support this important document as well.

Friends, we may have vastly different views on how best to create a more perfect Union, along with different styles and different temperaments, but we all share a commitment and, frankly, a responsibility to bring the voice of the people to Washington, D.C.

I am honored to represent much of Pinellas County and my hometown of St. Petersburg, Florida, and I promise to fight for the needs of my home. But I pledge to do so in keeping with what is known as the Golden Rule: Do unto others as you would have done unto you. This is a rule that I strive to live by every single day.

Poll after poll shows that Floridians and, frankly, all Americans are fed up with the divisiveness and rancor of Washington. As we move forward debating the issues of the day, let us be mindful of the words of President Abraham Lincoln: ''Though passions may have strained, it must not break our bonds of affection.''

□ 1730

I am proud that our freshman class—yes, this awesome freshman class—has put forward its commitment to civility. It states that, despite our political differences, at the end of the day we must work together to move our country forward, putting people over politics and treating one another with mutual respect and much more grace even when we may disagree.

I thank, again, the gentleman from Louisiana and the gentlewoman from California for their leadership and for their friendship, putting people over politics. God bless you all, and God bless America.

Mr. JOHNSON of Louisiana. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Speaker, I would like to thank all the members of the freshman class—members of both political parties and of every political background—who have joined us tonight in signing the commitment to civility pledge: love thy neighbor, no exceptions. Seeing 46 Republicans and Democrats make this public commitment is encouraging for this Chamber and for the constituents that we serve.

We can all agree that our Nation is facing some serious challenges. From increasing opportunity in an evolving economy to keeping our families safe from threats at home and abroad, the list in front of this body is heavy enough, and the last thing we need is to make that problem-solving even tougher. A statement made on the Senate floor last week offered a stark message: it is simply not possible to exist as a nation when half of its citizens hate the other half. If we are willing to end friendships or block our family members because of Facebook posts, we are not heading in the right direction.

Despite the incredible responsibility entrusted to each of us by those whom we represent, this Congress has not been immune to the hardening of political division. However, we must not accept our current discourse as the new normal.

Yet there is hope. There is hope because the Members standing with me tonight and those who have joined our pledge are willing to say, first and foremost, we are Americans, and the person I may disagree with—even vehemently—is still an American. Just because someone has different viewpoints or policy priorities or a different letter next to their name does not make them our enemy.

This Congress can and must play a part in restoring the civility and respect that makes productive dialogue possible. I am not saying we'll agree on everything, but a spirit of mutual understanding, mutual respect, and mutual cooperation is the bedrock for making our government and our communities work.

Whether we are elected officials, moms, dads, neighbors, community leaders, students—or anyone—we must remember that there is more that unites us than divides us. That is a commitment I am willing to make my colleagues and constituents this evening.

Again, I want to thank my colleagues, the gentleman from Louisiana and the gentlewoman from California, for all their work. I look forward to working with our awesome freshman class going forward.

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank all these colleagues. We were anticipating remarks from Mr. GONZALEZ of Texas, Mr. COMER of Kentucky, Mr. RASKIN of Maryland, and Mr. LAWSON of Florida, but their schedules have suddenly taken them away this evening.

Mr. Speaker, I will close.

As you can see, our commitment to civility is sincere and important to each of us and, we believe, to the Congress and to our country. As we said at the outset here, there may never have been a more important time for a commitment like this. Perhaps it is appropriate that our hour happened to be assigned here on this Valentine's Day.

I am reminded, as I close, of the biblical admonition given to us in Philippians, Chapter 2, Verses 3 through 4. It reads as follows: ''Do nothing out of selfish ambition or vain conceit. Rather, in humility, value others above yourselves, not looking to your own interests but each of you to the interests of the others.''

Mr. Speaker, if we can do these things, we will do well by our exceptional Nation.

I thank all of my esteemed colleagues for participating tonight and all those who signed this commitment.

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

RESIGNATION OF MICHAEL FLYNN AND RUSSIAN INFLUENCE

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

Ms. KAPTUR. Mr. Speaker, the resignation of President Trump's national security adviser, Michael Flynn, is the third Trump senior adviser to resign amid allegation of ties to Russia and the Kremlin. Two others were attached to the Trump campaign: his manager, Paul Manafort, and Russian energy adviser, Carter Page.

Meanwhile, Russia's Putin is the same KGB thug he always has been, continuing to invade countries in eastern and central Europe and propagating a war in Syria as well as a bloody war against Ukraine.

The American people deserve to know the full extent of Russia's financial, personal, and political grip on the Trump administration, and Congress

should meet its constitutional responsibilities to protect our national security and to protect our Nation against all enemies, foreign and domestic.

The American people need to know whether Russian creditors or their intermediaries are helping prop up the Trump commercial empire. This Congress needs to do its job, conduct hearings, subpoena witnesses, and bring truth to the American people about the Trump administration's ties to Russia.

HONORING DR. THOMAS FREEMAN OF TEXAS SOUTHERN UNIVERSITY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, this is a commemoration of African American History Month. It is a vital month. It is a month that tells America's history.

Mr. Speaker, I rise today to salute a distinguished American, Dr. Thomas Freeman, who has been a faculty member at Texas Southern University now for more than half a century. Dr. Freeman is the leading orator of the university, the leading storyteller.

He is the instructor of the Honorable Barbara Jordan, my predecessor. He taught her the skills to be able to sit before the Judiciary Committee during the impeachment of Richard Milhous Nixon and say, ''We, the people.''

He is the individual that has taught and tutored decades of students—tens upon tens—from a school that is a historically Black school and called and taught his students to be successful in debates around the world.

He is a history maker. He is now close to 100 years old. He is deserving of honor and tradition.

I close, Mr. Speaker, by saying, in our community, he is the tiller and the holder of the values of the Constitution. I know that he deserves honor on this floor.

Dr. Freeman, I salute you. You deserve the honor and recognition as a great American.

CALIFORNIA WATER INFRASTRUCTURE

The SPEAKER pro tempore (Mr. GALLAGHER). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I see a couple of my colleagues have arrived and would like to speak, so I yield to the gentleman from Maryland (Mr. RASKIN).

COMMITMENT TO CIVILITY

Mr. RASKIN. Mr. Speaker, I thank the gentleman from California (Mr. GARAMENDI) for the exemplary act of civility in allowing me and another late-arriving colleague to be part of the freshman class presentation about our collective commitment to promoting and practicing civility both within our class and within the Congress of the United States as long as we are here.

It is a great honor to be part of the freshman class of the 115th Congress. I am thrilled to make this commitment to civility—and even friendship—across the aisle with whatever Republican colleagues are willing to hang out with a liberal constitutional law professor.

Despite my great passions as a liberal and a progressive, I dedicate myself to civility for three reasons, and I think they are all consistent with my political values and beliefs:

First, I am a middle child, and so it is in my nature to try to bring people together. If you study the theory of birth order advanced by Frank Sulloway in his great book ''Born to Rebel,'' you will find an exemplary middle child in Reverend Martin Luther King who believed in the power of love for reconciling different views in society, and you will find a theory of the effectiveness of nonviolent struggle for progress and change, a theory that doesn't try to wish away or blink away real conflict that people have but embraces conflict as the possibility for uplifting everyone in the process.

Second, I am from the great State of Maryland, one of the original middle States tucked between New England and the South. In Maryland, we have a habit of working across party lines for the common good. Many of the big bills that I introduced in the Maryland Senate I introduced with Republican friends, like my friend Senator David Brinkley. We did the medical marijuana program together. He is a fellow cancer survivor and felt very strongly about that.

I did a number of criminal justice reform measures, including abolishing mandatory minimum drug sentences, with a Republican colleague named Michael Hough in Frederick County, who lives within my congressional district.

I even introduced a bill which succeeded for fiscal transparency in government, putting up all government expenditures over $10,000 online within 48 hours, with Congressman ALEX MOONEY from West Virginia, although then he was a State senator in Maryland who served with me in Annapolis.

Third, as a law professor, I believe that all of our ideas, passions, and feelings about politics are refined, perfected, and improved through the process of political dialogue, testing, and questioning.

So I know that our Republican colleagues make us stronger on the Democratic side of the aisle, and I hope that we make them stronger, too, that we all grow together and that we are able to improve each other's ideas, change each other's minds sometimes, and work on issues of common concern like infrastructure, which I think is a pressing problem that we can gather consensus around in this body, like the environment and the perils of climate change.

Our greatest Presidents have always called us to civility. George Washington invited Americans to place our patriotic love of liberty first above partisan and sectional feeling. Thomas Jefferson said that we are all Republicans, we are all federalists at a time of great division in the country. In his first inaugural address, President Lincoln said: ''We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection.''

So the bonds of affection might seem like a romantic dream given the divisions and polarization in the country today, but I do think that, if at least we start with civility and respect, maybe we will be able to attain the level of recovering the bonds of affection that should unify all of us as Americans.

The word ''party'' comes from the French word ''partie,'' a part, and we have got to remember—each of us, all of us—that our party is just one small part of the whole, and we are all here to try to advance the common good.

With that, again, I want to thank the Congressman for his very gracious offer of the time.

Mr. GARAMENDI. Those are wonderful comments, and I am sure they are going to last through the entire 115th Congress because our colleague from Kentucky would like to echo many of those.

Mr. Speaker, I yield to the gentleman from the State of Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I will be brief.

Mr. Speaker, I am so glad to join with 55 other of my freshman colleagues to pledge the commitment to civility. We all took different paths to get here. We are all from different parts of the United States. We all have different backgrounds and different stories. But one thing we all did to get here in this freshman class is we campaigned hard, and we listened to our constituents. Whether our constituents were conservative or liberal, whether they lived in the city or in small towns, they all shared a frustration about Congress.

□ 1745

They shared the frustration that Congress was at gridlock and both parties fought. Many times, people filed bills, knowing they would fail, just so they could get before a TV camera and grandstand and blame the other party.

When I got to Congress, I didn't know what to expect. The first thing that we did was attend a retreat. We got to know each other. I left that retreat inspired because, Mr. Speaker, I believe that this freshman class is committed to trying to work together to accomplish things that we agree on.

There are issues that we will never agree on, but there are issues we do agree on. We do agree that we need to create an environment where every American has access to a good-paying

job. We do agree that we need to have a military that protects its citizens. There are so many issues that we agree on.

I pledge to work with this freshman class in the future to try to create a working environment in which we can put every American first and try to accomplish things to work together.

Mr. GARAMENDI. Mr. Speaker, I welcome Mr. RASKIN and others who spoke before me as they consumed their Special Order hour in a very unique way, which is not often seen here on the floor, and that is a colloquy between our Republican freshmen and Democratic freshmen.

I want to take up issues that I know were covered by many of the freshmen as they discussed their hopes and dreams about what we might actually be able to accomplish in Congress.

Let me start with a photo. This is the largest waterfall in California, and I dare say the largest waterfall in the entire United States. It is not a natural waterfall. It is actually a manmade waterfall. With all of this turbulence and enormous churning of water below, it is a failure of a manmade spillway in California. This is the Oroville Dam that has been much in the news over the last several days.

As many probably know, California suffered through a 5-year drought. As a Representative of the great Sacramento Valley of California, my Sacramento Valley and my State of California suffered mightily. That drought tore apart communities, seriously injured the economy of California, and the health of many businesses.

So we went from famine to feast, and we are suffering serious indigestion as a result of the feast of water that we presently have.

Oroville Dam was built in the 1960s and completed in 1968. This is the spillway presumably capable of carrying well over 150,000 cubic feet of water. What you see here is the result of a failure right here in the concrete in that spillway, resulting in a massive hole in the spillway and this extraordinary churning and erosion over here on this side. This went on for some time.

The operators of the dam, the Department of Water Resources in California, said: Well, we are going to have to shut this down and take a look at the problem.

They did. And the problem was, while they were expelling 100,000-acre-feet of water, there was 200,000-acre-feet of water coming into Lake Oroville.

I am going to take a few moments to explain this and then explain how California has successfully dealt with what could have been a serious tragedy.

Oroville Dam is the highest dam in California, some 770 feet high. The concrete spillway that I just showed you the picture of the largest waterfall in the Nation—not as high as Yosemite Falls, which is over 1,200 feet—is 700 feet down here to the river. It is 770 feet, actually. Right here is where the damage occurred. This is the emergency spillway, which was never to be used.

When this dam was built in the 1960s, they said: Well, we will build the regular spillway, but we will put this emergency spillway in here. This is a 30-foot-high concrete wall. Below it is the natural Earth and dirt of the Sierra Nevada mountains and foothills.

They shut down the spillway and 200,000 cubic feet of water comes into the reservoir. The reservoir rapidly rose to the point of where it was going over the top of the emergency spillway. Lo and behold, when you run 12,000, 15,000 cubic feet of water per second over the top of that spillway, you hit the dirt on this side and it drives down the river with incredible erosion.

This entire area was eroded. But most importantly, the erosion moved back towards the base of that 30-foot-high concrete wall, jeopardizing the integrity of that 30-foot-high barrier against millions upon millions of gallons of water stored in the reservoir.

All of this occurred on Sunday, 3 days ago. The call went out from the Department of Water Resources, Oh, my, we have a potential problem, as they observed the potential erosion against the foundation of that 30-foot-high wall. They said it is possible that that erosion could cause a catastrophic failure of the 30-foot-high wall, sending down into the river channel a 30-foot tsunami, the result of which would be a catastrophe downstream.

This might be a little hard to observe, but I am going to give it a try. Here is the dam right here. Adjacent to the dam is the town of Oroville, just downstream from the dam. Then, the Feather River continues down through my district, Marysville and Yuba City. This is all farm county up here with some significant towns like Gridley in this area, and Live Oak further down, which I represent. This area is represented by my colleague, DOUG LAMALFA, who represents the northern San Joaquin Valley.

The reservoir is here. The spillway is here. There is a 30-foot wall of water cascading down the emergency spillway, hitting the river and spreading out 30 miles across the Sacramento Valley, all the way to the west side of the valley where the Sacramento River is. This red area is 100 feet deep in 1 hour. The city of Oroville faces a catastrophic event: 100 feet of water above the community within 1 hour of the breaking of that 30-foot wall on the emergency spillway.

It spreads out. Over here it is still 10 feet deep, 30 miles away. Of course, the water is going to flow down the river also. Two communities down here of 150,000 people, within 7 hours, would be facing water that would be 10 feet deep.

That is why they called for an emergency evacuation Sunday afternoon around 6 o'clock. Nearly 200,000 people left this area, all the way over to the west and all the way down some 30 miles down river, moving out to high ground up north to Chico, up into the Sierra foothills, and down towards Sacramento.

The water continued to spill over the emergency spillway. The Department of Water Resources, seeing the erosion, reopened the gates on the main spillway and sent 100,000 cubic feet of water down the spillway, creating an incredible but not lovely waterfall.

Fortunately, the water flowing into the reservoir very quickly diminished, from a couple hundred thousand acre-feet on Saturday and early Sunday to around 40,000 acre-feet toward Sunday evening and on into Monday. So the mathematics began to work in favor of the communities and in favor of the entire region.

Slowly, the level of the lake began to recede and eventually the water no longer flowed over the top of that emergency spillway. Nonetheless, you still had 30 feet of water behind that spillway and you had the integrity of the spillway in question.

They continued to reduce the water level in the lake and, marshalling resources up here, began to find a solution to the problem. When the sun came up Monday morning, the engineers went out and said: Oh, my.

There were four specific areas of serious erosion against the base and the foundation of that 30-foot wall with 30 feet of water still behind it. They decided to take emergency action to bring in by helicopter 100,000-pound bags of rock to stack in those four eroded areas.

Downstream, the communities of Marysville, Yuba City, Gridley, Live Oak, and other small communities were literally ghost towns. People were sheltering in various churches, fairgrounds to the north, fairgrounds to the west, east, and south. Nearly 200,000 people had moved out.

As this water receded and the emergency response began to take hold, people looked at this situation and said: Maybe this was the great would have, could have, and should have—would have, could have, should have.

Maybe when the dam was built, a concrete apron should have been built on the downside of that emergency spillway.

Maybe in 2005, when this entire project went back for re-licensing by the Federal Energy Regulatory Commission, the call by the environmental community to concrete the down slope should have been taken into account and should have been done in 2006, 2007, but they decided it wasn't necessary or it was too expensive or whatever reasons, and so it was not done.

It will be done now. The cost of repair to the main spillway and to the emergency spillway will probably be over $200 million.

So the question arises for all of us: Do we want to wait until there is a disaster to take cautionary steps to put it back together, or do we want to get ahead of these potential disasters?

It is a question for all of us here. It is a question for the Congress and the

Senate and the President. It is called infrastructure.

You heard some of our colleagues earlier on from the freshman class talk about their desire for infrastructure improvements. Here is a prime example. Unfortunately, not the only example, but I want to share with you what actually is happening down river by the communities of Marysville and Sutter County.

There are 70 miles of river downstream from this point that has been in the process of significant levee improvement. Some $700 million has been spent over the last 5 to 6 years by the community, by the State of California, and by the Federal Government to bring the levee on the west side of the Feather River to a 200-year status. It is nearly completed, but not completely completed. There is another piece to be done even as this flood event takes place.

But a community stepped forward. It is called SBFCA. The Sutter Butte Flood Control Agency has undertaken that work—good for them—in the city of Marysville, which is a community surrounded on all sides by 20-, 30-foot-high levees. The Feather River and the Yuba River come together at that point at Marysville, a community that has seen catastrophic flooding in the past.

□ 1800

That community, too, together with the State of California and the Federal Government, Army Corps of Engineers, and the Yuba County Water Agency have been in the process of rebuilding and enhancing the levees around that community. These are positive examples.

Further down, the State of California has put together a flood control program for the entire Central Valley, from Mt. Shasta on the north all the way to the Tehachapi Mountains on the south, an extraordinary 600-, almost 700-mile stretch of the most fertile land in the world and major communities like Sacramento, with millions of people at risk of flooding. Different communities putting together their own flood control programs, reaching out to the Federal Government over the years, providing Federal assistance together with the State assistance to control the flooding that has been historic in California.

We need to continue this. We are not nearly finished yet in California. We are going to spend the $200 million here, and this will be concrete in the years ahead, and this main flood control system will be rebuilt.

But this problem is not just floods. We have seen the flood of Katrina in Mississippi where we discovered that, oh, my, the levees really could not handle a major hurricane. I will share a story of my own. When I was deputy secretary at the Department of the Interior, we were studying major storms, what would happen in a period of climate change, would we see stronger hurricanes. This was in the mid-1990s when I was there as number two in the Department of the Interior. We anticipated a major hurricane coming across from Cuba into the Gulf area and hitting New Orleans. We were so concerned about this that Secretary Babbitt said: John, I want you to go down to New Orleans. I want you to talk to the local officials down there.

I remember sitting in the editorial office of the newspaper, The Times-Picayune, sitting there telling them, showing them the map and saying: Here is what we believe could happen, and we, the Federal Government, together with the community, need to enhance your levees.

A decade or so later, I was sitting in California. I looked at the television set, and I said: Oh, my God, it is precisely what we predicted in the mid-1990s, and it came to pass. These are the lessons of history.

Here is another lesson of history. This is the Interstate 5 Bridge, the last bridge before you get from the United States to Canada. Interstate 5 goes from the Mexican border all the way through California, through Oregon, Washington, and then into Vancouver, British Columbia. This is a bridge that collapsed.

How many other bridges have we seen collapse? We have seen the bridge collapse in Minnesota, and people died. We have seen rail bridges collapse. In California this last week, the main Union Pacific Railroad going north and south between Sacramento—well, all of northern California—way down to southern California over the Tehachapis, the Union Pacific Railroad Bridge just south of Sacramento collapsed. The rail cars, at least a day ago, were still sitting there in the water as they were busily trying to repair that rail bridge. A good third of all the bridges in the United States do not meet safety standards and are subject to collapse, and in some cases deadly collapse.

As we go through all of this, we need to be aware of the extraordinary need that our Nation has for infrastructure improvements. I think some of us remember the comments of our former Vice President Biden when he landed in LaGuardia, New York, and made a comment about that facility. I won't repeat it here because I am sure my New York friends might find that to be somewhat degrading. But it was a comment that was well deserved about the quality of that airport. The unfortunate part is that that is repeated in airport after airport around the United States: inadequate, old, not up to standards, and very poor in providing the efficient transportation that we require.

We can go on and on. We can talk about the highway system. The Department of Transportation estimates that we need over $836 billion just to maintain and bring up to standards the American highway system, both highways and bridges.

The public transportation system has a $90 billion backlog for public transit for the state of good repair. This isn't expansion. This is just to have good repair for what we need in our transit systems.

We can go on and on. Bridges, $20 billion. As I said, one in three of the bridges in the Nation—it is actually one in four—are structurally deficient and functionally obsolete. Sixty-five percent of our Nation's roads are in less than good condition. Our rail and bus transit systems face a $90 billion backlog, as I just said.

The 59 busiest ports in the United States only operate at 35 percent of capacity because the channels are filled with silt, and modern ships are unable to enter those ports.

The FAA, the Federal Aviation Administration, has identified a need for $32 billion for improvement of our airports. It goes on and on and on.

America does not want to face this kind of devastation, with the failure of dams. I don't have the exact number of dams in the United States—I think there are some 83,000—but a good percentage of those dams are structurally deficient from many different ways. Obviously, Oroville Dam was one of them. It didn't have a sufficient spillway to handle the extraordinary flows of the river.

Another one central to California's water system is the San Luis Reservoir, a 2-million-acre-foot reservoir south of Sacramento, east of San Jose, that is central to the water supply of California, both for southern California, for the San Joaquin Valley, the farmers there, as well as for Los Angeles. The Oroville Dam is the key dam for the California water system, which supplies water to Silicon Valley, to the San Joaquin Valley, as well as to Los Angeles.

We have work to do all across this Nation, and we can do it. There is a lot of talk going on about the infrastructure program. Our new President has suggested a trillion dollar infrastructure program, somehow financed with private investment. Now, I don't know how that would work in repairing a dam such as Oroville or San Luis. I am not sure how a private investor would fit into that, but undoubtedly there are models in which there can be public-private partnerships. But that will not suffice.

There are programs that have been suggested by my colleague here in the House, by Mr. DEFAZIO. Mr. DEFAZIO has what he calls ''a penny for progress.'' It is a program that would provide nearly a trillion dollars of infrastructure investment for highways over a 10-year period. We would borrow the money, and then pay it off with a one-penny increase in the excise tax for gasoline and fuel as it would keep pace with inflation. A novel idea, one that probably would work if we could find the votes for it.

Over on the Senate side, the Senate minority leader, Mr. SCHUMER, has introduced a $1 trillion package of all

types of investment in infrastructure, and it is a project that deserves our attention. It is a project that would provide significant money for highways. In his proposal, he would create 15 million jobs over the next 10 years for investment in many different kinds of infrastructure.

He has something that I have talked about here on the floor now for 7 years. We call it Make It In America, Buy America, use our tax money to buy American-made products, bring our manufacturing back. If you are going to use rebar to rebuild that spillway, then use American steel. If you are going to put a pump in this dam to drain some facility, buy an American pump. After all, it is our taxpayers' money. It is my money. It is your money. Use the Buy America principle.

He has a couple of other principles that I think are very important. He wants protections for American workers, and this is both life and health and safety protections but also wage protection, the Davis-Bacon and the prevailing wage programs, all of which I think pull up the bottom with good working wages for men and women in the construction industry. Also, make sure that there is an opportunity for minority- and women-owned businesses, and of course the environmental protection. These are kind of the principles of his program, which I happen to think are appropriate.

So what would he spend the money on? He would suggest that we spend $210 billion repairing the roads and bridges. Now, remember, that is about one-quarter of what the Department of Transportation said is needed for the backlog, but, nonetheless, that is a good start. For roads and bridges, $210 billion over the 10-year period. That is 1.3 million new jobs.

He would also want to spend $110 billion for new water and sewer systems. Not bad when you talk about places like Flint, Michigan, and the contaminated water in their water supply. In our own Central Valley of California, we have numerous communities that have inadequate water and, in many cases, water that is contaminated with various chemicals, both natural and from the business environment.

Senator SCHUMER suggests that we spend $180 billion to expand and replace our rail and bus systems. That is more than just the transit programs. I suppose that is to make sure that the Union Pacific bridges don't collapse.

He would also have $200 billion for vital infrastructure projects. These would be the most critical, the high-priority projects across the Nation. I would suggest to the Senator, Mr. Speaker, that the Senator might consider rebuilding the spillways on the Oroville Dam.

He would also invest $75 billion on American schools so that our schools are new and modern and meet the needs of our students, another $70 billion on the ports. Remember, I was talking about this earlier, about the ports that are inadequate. This feeds back to what Mr. DEFAZIO has suggested, that we have the harbor maintenance fund. These are fees that are collected on every good that arrives or every container that arrives at our ports, and that money be spent on the ports, both in the water as well as on the dock.

That money, unfortunately, is not spent just there. It winds up in the Treasury for who knows what purpose. So we would bring that money back to spend on our ports, modernizing them. Keep in mind that Panama, the new Panama Canal, has been expanded, bigger ships, deeper draft, so we need to dredge these ports, we need to build the wharves, the docks that can handle them.

Senator SCHUMER would also recommend that $100 billion be spent in energy infrastructure to meet the needs of a modern energy system that is not dependent upon coal and oil but, rather, renewable sources of all kinds. And broadband, which is exceedingly important. In my district, which stretches 200 miles up the Sacramento Valley, broadband is not available. So these are infrastructure investments that I would think all of us should agree on, that we need to build a modern infrastructure for a modern economy and a growing economy, and along the way create as many as 13 million jobs to do that, a project that would go forward over the 10-year period ahead of us.

So we have got the President suggesting a trillion dollar program, public-private partnerships, of which I suspect there are some right there, we have got Mr. DEFAZIO with a financing program for highways and transit systems and ports, and we have Senator SCHUMER on the other side with a trillion dollar program that would deal with virtually every part of the infrastructure, from broadband communications to ports, highways, bridges, and the like.

So we have, I think, an opportunity here in this Congress to address a critical need for America's future, not only for the safety of Americans so that all Americans can avoid the kind of catastrophe that California came very, very close to having on Sunday, with the collapse of a 30-foot dam on Lake Oroville, creating not this, but something that would be several times bigger than this cascading down the river and inundating communities to the depth of 100 feet or more.

It doesn't have to happen. We should never be penny-wise and pound-foolish. We should never delay these infrastructure investments because we know that bridges will collapse, and along with it the transportation system.

□ 1815

We know that dams are in jeopardy. We know that our highways are filled with potholes. We know that many of our airports are ancient and, in many cases, decrepit and certainly not up to modern safety standards and certainly passenger convenience. We know that our ports need to be dredged and new wharfs and docks built. We know that we need to have intermodal systems so that we can efficiently move cargo from the ports to the trucks, to the trains, and across the country.

We know the needs. The question for all of us is: Are we ready to meet those needs?

I would suggest to you that we can. We can do creative financing, as Mr. DEFAZIO has suggested. There is a role for public-private partnerships in all of this, as the President has suggested. There is also a place in all of this for us to make choices about how we spend the taxpayers' money.

This is one that I want to bring to the attention of Americans. We are in the process of making a choice to spend $1 trillion over the next 20 years or so to rebuild our entire nuclear arsenal. All of it. All of our nuclear bombs, all of the ICBMs in the silos in the upper Midwest, new submarines with new intercontinental missiles with new bombs on top of those missiles, new stealth bombers such as the new B–21, new cruise missiles with new bombs. All of these things. New, fast, stealthy, unobservable, extraordinarily dangerous because the rules of the old Cold War or the old nuclear standoff don't apply.

One trillion dollars for what purpose?

We need to ask that question and we need to make choices. There are many other choices that we will be making here. Choices about building a $30 billion wall rather than repairing the bridges, in this case to Canada. Choices about nuclear weapons.

Our job—your representatives here in Congress—is to make choices that are wise, choices that protect you, choices that give all of us an opportunity to have good, well-paying jobs, a modern infrastructure on which the private sector can then grow and prosper, and men and women can earn a good middle class living.

Or we can make choices on things that really do not provide any of those benefits. It is about choices. It is about being prepared for tomorrow. It is about avoiding collapsed bridges and reservoirs that might fail and send a cascade of water down upon the communities.

So I ask my colleagues to consider, to ponder the needs of your communities, and to make choices that are wise, that look to the future, and build a solid foundation that won't fail when that 30 feet of water presses up against that foundation. Choices. I hope and I pray we make wise choices.

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

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, we had a resignation now that seems to be the big news of the day of a Cabinet member of the Trump administration.

It is interesting to have seen this Indivisible movement arise. The Daily Signal points out: '' . . . Ties to George Soros, Sows Division Against Trump, GOP Lawmakers.''

''Democrats who used to work on Capitol Hill are helping to disrupt Republican lawmakers' town hall meetings across the country through a nationwide effort to oppose and 'resist' President Donald Trump's agenda.''

And it goes on to talk about some of the leftists who are trying to do that.

And another article that says that the Indivisible team is trying to mimic strategies of the Tea Party. But it was quite a difference. The Taxed Enough Already Party was grabbing hold of American principles, constitutional principles, principles that brought about the revolution and served the country well for over 200 years; and that we are supposed to have a government that works for us, not works us; takes away our religious freedom, tries to take away Second Amendment freedom, tries to take away freedom of religion; tells us we can't say anything negative about anything they care about or they will try to destroy us, our business. And there were people that were shocked. And then on top of it all, add a lot more tax. And as the President told Joe the Plumber, in essence: We need to take your income and spread it around the country.

I had some friends here during the inauguration. I took them to the Lincoln Memorial. And, of course, on the south inside wall is the Gettysburg Address. On the inside of the north wall is the second inaugural that is so profound. Mark Levin's father has a terrific book about it. What an amazing speech.

Lincoln is talking just shortly before his assassination. But the second inaugural, the war is winding down, it is about over, and there is so much hope abounding. He was not bitter. He was an amazing man, our first Republican President. He talked about the Nation and about how both the north and south both read the same Bible and both pray to the same God. He points out that the prayers of both could not be answered, the prayers of neither have been fully answered. But he points out that it might seem strange that a group of people would invoke God's name to wrench their bread out of the sweat of other people's brow.

But I heard enough from people in the Taxed Enough Already Party, this group that arose that—wait a minute—basically are saying when the President says, I am going to take your money that you made and spread it around, he is basically saying, Look, I am going to be the most powerful man in the world, and certainly in this country, and my principles dictate; I need to take what you work for and spread it around to other people.

Is that a way of wrenching your bread from the sweat of others?

It is interesting. But anyway, this group had 17 show up at an office. Obviously, they were more interested in publicity than a meeting, because all they had to do is call and we make sure they have a meeting and somebody is there to meet them, even though I am here in Washington when they demand to meet.

Apparently groups all over the country are following this Soros-funded effort to try to destroy the country, disrupt the country, and create anarchy and mayhem wherever they can. Fortunately, in east Texas, people realize we can't quite go as far as some groups do because nobody would accept it. I have got some constituents that are asking legitimate questions.

But what we go back to is what really gave strength to this movement, objecting to what was being done in the Obama administration, was when we had a President and a Speaker who were saying: We know that a majority of Americans don't want this ObamaCare, Affordable Care Act. It is hard to call it affordable care because it is such a misnomer. But we see the polls. A majority of the American people don't want it, but we are going to stick you with it anyway because it is part of our agenda.

That is what was really bothering people. The thing is that this so-called Indivisible and groups like this are terrific at coming up with names that are anathema to what they really are. So you have a group called Indivisible, and their goal is completely dividing and destroying the constitutional principles of America.

But the thing is, a majority didn't want ObamaCare passed. It was shoved down their throats, even though most of the people in this body here had not even read it. I read it. It scared me. I am still asking for answers.

Why did President Obama need a commissioned and noncommissioned Presidential officer corps that he could call up. Initially, it sounded like a medical emergency group, but then it said they would be trained. It didn't say with weapons or with what. And it said the President would be able to call them up for any international emergency, and it didn't mention the word ''health'' or ''medical'' on that.

So, anyway, there is just so much in there that we didn't need. Most of Americans didn't want it and didn't like it. And it took away people's health insurance from them.

I was talking with thousands of people in my district. I love to do telephone townhalls with my district. This was one segment. About a third of the district last night was represented in this group, and I will have others coming up in the future. But it is very helpful to me because I can talk to people that you wouldn't see, you wouldn't hear, wouldn't see or hear you if you had 40 people come to a townhall, like sometimes do.

And since we know that there are groups out there that have instructions to create mayhem, disrupt, accuse them of racism—it is in the documents that we are seeing—whatever they bring up, charge racism, corruption, and something else, we can have a telephone townhall and I can find out what people are thinking that I otherwise wouldn't hear from.

I thought about doing a mailer to mail to as many in my district that I could, but the costs were just so dramatic. I could do it, but why spend $100,000-plus of taxpayer dollars just to find out what my district is thinking?

I think the best indication of what people in each congressional district in the country are thinking is what happened in the November election. That is the ultimate poll that anybody could ever take. And I have having been talking about for 6 years that ObamaCare needed to be repealed, that it takes away choice, that it is costing more money. You don't get to keep your doctor, you don't get to keep your insurance policy; and so many thousands in my district did not.

□ 1830

And so it was very helpful to hear from people, for example, how many believe the government needs to be more involved in health insurance, and I think that was at like 97 percent. There were thousands of people that had been called. But anyway, it gives me feedback.

It was interesting to note that this group, this indivisible group, the websites had gotten some information about the messages going back and forth, and one of them is, when we demand that they have a townhall that we can disrupt and they say we are going to have a telephone townhall because we can reach a lot more people, people that are invalids or homebound, seniors that couldn't get out to a personal townhall meeting can participate in the telephone townhall. They are saying how do we respond to that when there are so many more people they can reach and hear from and it helps the disabled to do these telephone townhalls, how do we respond to that? And they really didn't get a good answer, last I saw.

But it is important for every Representative to know where their district stands, where their people stand, and I continue to believe that I am the most fortunate Member of this 435-seat body because of whom I get to represent.

I had an opponent last year raising Cain about I was on national media so much, and I mean, when I think about it, why would national media want me to be on? It is certainly not my looks, certainly not because I have such an incredible voice.

You know, I would love to have a voice like James Earl Jones, or I was just so moved at the Senate Chaplain speaking at the National Prayer Breakfast a couple of weeks ago. I would love to have a voice like I think maybe God's voice may sound like

some day when I get to hear it, but I don't. I don't have a voice like that. This is what I have got. I don't put on any airs.

Why would any national media want to have me on? And I think it would have to have something to do with the fact that I represent extraordinary people in Texas where sense is very common, just so much common sense, and I think a lot of the country likes hearing about the way three-fourths of my district thinks. I think I reflect that district, and that is why, basically, three-fourths of the district voted for me. It is not because of the way I look or sound.

Even people that can't stand me in that 25 or 26 percent, they know I am going to stand up and do what I told people I am going to do. It is just that some people don't like it. Some years back, one guy wrote that I was a moron and misspelled ''moron.'' If he is listening, Mr. Speaker, he needs to know there is no E in moron.

But in any event, it is interesting to see how frantic things have gotten and how destructive some of the forces in this country have gotten in trying to bring down the principles that made us great, and it is quite disconcerting.

That leads me to a point I want to discuss, which we had the news, the tragic failing of the dam in California. We will continue, those of us who believe in the power of prayer, to pray that there will be no loss of life, despite the negligence of the California government in refusing for over 12 years—apparently, at least 12 years—to heed the warnings that this dam was going to be failing at some point. They needed to do something. We just need to pray that the negligence that occurred in the New Orleans area in diverting money away from shoring up the levee would not end up having the mass cost of loss of life in California.

But as we continue to have people try to disrupt our congressional districts, continue to try to make so much noise, create so much anarchy that it creates an inability to govern properly—despite the fact it isn't going to work—this President, this administration, and this Congress is not going to be diverted from what needs to be done.

This article came out today from the Free Beacon, by Adam Kredo: ''Former Obama Officials, Loyalists Waged Secret Campaign to Oust Flynn.''

Now, I hadn't known Flynn before. I don't believe I had met him before maybe last September. I might have, but I don't believe I have before that. But I had a chance to visit with him at that point with, at that time, Donald Trump, now our President. He is an interesting man. He has served his country well.

But there are issues that are coming out now about discussions with Russians. It would seem to me, if President Trump had an intelligence community and had people in the government service around him, the career people that were really wanting to help the country—rather than the Democrats or President Obama as he went out—that were really interested in helping the best interests of the United States of America, they would want the President to have all of the information that anyone in any of the upper echelons or anywhere in the departments that work for President Trump—wouldn't they want their boss to know or have the most accurate information?

Apparently, there was information out there that didn't come to light until President Trump had selected his National Security Adviser. He had been sworn in as the National Security Adviser, and they were on a roll. And of course, one of the things General Flynn was concerned about, something that is a deep concern of so many of ours in this body, was the outrageous Iran treaty that got treated like it wasn't a treaty. It was, indeed, a treaty. It never got ratified by the Senate, but it was, indeed, a treaty. It had all of the things in it that treaties would have.

But this article goes on: ''The abrupt resignation Monday evening of White House national security adviser Michael Flynn is the culmination of a secret, months-long campaign by former Obama administration confidantes to handicap President Donald Trump's national security apparatus and preserve the nuclear deal with Iran, according to multiple sources both in and out of the White House who described to the Washington Free Beacon a behind-the-scenes effort by these officials to plant a series of damaging stories about Flynn in the national media.

''The effort, said to include former Obama administration adviser Ben Rhodes—the architect of a separate White House effort to create what he described as a pro-Iran echo chamber—included a small task force of Obama loyalists who deluged media outlets with stories aimed at eroding Flynn's credibility, multiple sources revealed.

''The operation primarily focused on discrediting Flynn, an opponent of the Iran nuclear deal, in order to handicap the Trump administration's efforts to disclose secret details of the nuclear deal with Iran that had been long hidden by the Obama administration.''

Mr. Speaker, I want to insert here, some of us went down to the classified area of the SCIF where we can review classified information and we reviewed what was available about the Iran deal, but we found out there was a lot of secret stuff that the administration would not allow us to know: what he had given away, what he had done, potential bad judgment in going so far out of the Obama administration's way to placate and assist the largest supporters of terrorism in the world.

Obviously, what this article is talking about, some secret parts of the agreement, those are things that we were certainly not allowed to read no matter who you were in Congress at the time.

But this says: ''Insiders familiar with the anti-Flynn campaign told the Free Beacon that these Obama loyalists plotted in the months before Trump's inauguration to establish a set of roadblocks before Trump's national security team, which includes several prominent opponents of diplomacy with Iran. The Free Beacon first reported on this effort in January.

''Sources who spoke to the Free Beacon requested anonymity in order to speak freely about the situation and avoid interfering with the White House's official narrative about Flynn, which centers on his failure to adequately inform the president about a series of phone calls with Russian officials.

''Flynn took credit for his missteps regarding these phone calls in a brief statement released late Monday evening. Trump administration officials subsequently stated that Flynn's efforts to mislead the president and vice president about his contacts with Russia could not be tolerated.

''However, multiple sources closely involved in the situation pointed to a larger, more secretive campaign aimed at discrediting Flynn and undermining the Trump White House.

'''It's undeniable that the campaign to discredit Flynn was well underway before Inauguration Day, with a very troublesome and politicized series of leaks designed to undermine him,' said one veteran national security adviser with close ties to the White House team. 'This pattern reminds me of the lead up to the Iran deal, and probably features the same cast of characters.'''

And we know from news that has come out since the Iran deal was made by this administration, we know that some of the same placaters that enabled North Korea to develop nuclear weapons in the Clinton administration were involved in negotiating this deal with Iran. The deal with North Korea was to stop them from getting nuclear weapons, and so my interpretation of the deal was basically this:

They promised them: We will give you everything you need to develop nuclear weapons in North Korea if you will just sign a piece of paper that says you won't do that.

The Clinton administration, some of the same people that ran to do a deal with Iran, they jumped on that. And so what happens, North Korea uses what we provided them to help create nuclear weapons. Big shock.

So it is a big shock that the Obama administration would send at least one of those original people to be the top negotiator with Secretary of State John Kerry, who never saw a Genghis Khan that he couldn't work with, and they work out a deal. We still haven't found out all of the arrangements, all of the things that were done; but we know that there is, apparently, something so sinister about what this country has done, bent over backwards to provide for Iran or allow Iran to do, that the Obama administration could

not allow right-thinking American people to know what it had done for Iran and against Israel and the United States' best interests.

But if you believe the best interests of the United States are to weaken the United States, if you believe that the United States has been the biggest problem in the world for the last 100 years, then you would think, well, then if we make a deal with Iran that weakens the United States, may even lead to our demise, the world is a better place. So it is ultimately for the good of the world because the United States is certainly weaker than it has been in decades, going back to pre-World War II military strength.

The Chinese economy, it was announced at one point, may have exceeded ours. I am not sure that is true.

□ 1845

Anyway, countries around the world that are threats to world peace have gotten stronger. ISIS has gotten stronger during this President's term, in fact, came into being under President Obama and got quite strong, thousands upon thousands of lives lost.

In Afghanistan, he took a war that he told people—the voters in 2008—was the important war. And what should have been just a housekeeping operation under his leadership and with his rules of engagement, it cost about four times more American military lives than were lost in the height of the Afghan war for 7½ years under President Bush. It must be something in the leadership there when one President loses four times more military members than the prior President in the same length of time and the latter President being when the war was supposed to be basically over.

This article points out that:

''Flynn had been preparing to publicize many of the details about the nuclear deal that had been intentionally hidden by the Obama administration as part of its effort to garner support for the deal, these sources said.

''Flynn is now 'gone before anybody can see what happened' with these secret agreements, said the second insider close to Flynn and the White House.

''Sources in and out of the White House are concerned that the campaign against Flynn will be extended to other prominent figures in the Trump administration.''

Well, Mr. Speaker, I can inject here: Whoever these sources are that are concerned the campaign against Flynn be extended to other prominent figures, I can guarantee them that people in and outside the United States Government right now, as I speak, will do everything within their power—some of these characters will—to prevent President Trump from getting us back on track to making the world a safer place, to getting Iran back in the little box that President Carter let them out of. They are going to go after lots of people. It is not going to be limited. This apparently is a campaign that is going to be ongoing.

Apparently, General Flynn messed up and wasn't completely honest when he should have been. A President has got to be able to trust his security adviser. That kind of goes without saying. The President has to be able to trust those people.

It takes me back to September when I was talking—it was right before General Flynn walked up, actually ironically. But I was telling: Look, I like President George W. Bush. He is a good man. He is a smart guy. He is a lot smarter than people give him credit. He is one of the wittiest people you can ever have a conversation with, but something that hurt him—and I wanted Donald Trump to understand this—something that hurt him was that he was such a nice guy. After the election was over, he made it known, in essence, that everything that happened in the past is bygones. What is happening now, from now on, we are going forward.

The trouble is he had people doing bad acts, even crimes like having FBI files at the White House. Chuck Colson went to prison a year and a half for having one. The Clinton administration had nearly a thousand; nobody did a day.

I said, you have got to clean out these departments, these agencies where Bush didn't clean them out. You have got to or they are going to undermine you the whole time you are President. And it looks like we are seeing that right now.

So, Mr. Speaker, I just encourage all my colleagues to let's give the Trump administration the chance to help get this country safer, freer, and just a better place to live. It is not going to happen while people are undermining the President from within his own administration and a little cabal that has those ties in this administration. It is time to clean house, and General Flynn is not who I am talking about.

I yield back the balance of my time.

FROM DESEGREGATION TO RESEGREGATION

The SPEAKER pro tempore (Mr. GARRETT). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 30 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, on May 17, 1954, Chief Justice Earl Warren delivered the shock that was felt across the Nation.

This was done when, on behalf of a unanimous Supreme Court, he announced:

''We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.''

These 24 words, Mr. Speaker, had a far-reaching impact upon our Nation. These words ushered in an era of de jure desegregation that has changed the course of history that has created a new sense of destiny, and literally these 24 words opened doors that were closed to many persons and created new opportunities.

Mr. Speaker, before I go on, let me thank the many cosponsors of H. Res. 79, which recognizes the significance of Black History Month, and H. Res. 17, which honors the National Association for the Advancement of Colored People, the NAACP, on its 108th anniversary. I thank the many cosponsors and the many persons who have worked on these issues.

I have a staff that has worked tirelessly to make sure that we have these resolutions prepared, such that they could be filed timely. I am grateful to my staff. One such staff member is with me tonight. My legislative director, Ms. Amena Ross, is in the Chamber with me. I am appreciative that on Valentine's Day she has chosen to be here as opposed to where she probably could be and will probably be going shortly.

Mr. Speaker, given that in this month, the month of February, we celebrate Black history as well as the founding of the NAACP, I think that it is appropriate for me to speak on the topic from desegregation to resegregation. Mr. Speaker, it can happen.

Mr. Speaker, while Brown v. Board of Education has not produced the utopian society many hoped for—it has not ended the de facto segregation that many prayed for. It has not engendered the quality education for all children and has not transformed public schools into perfect schools or equal schools—I still contend and firmly believe that we are a much better nation with Brown v. Board of Education than without it.

Mr. Speaker, I think that it is important for us to give empirical evidence of these words that I have just spoken, my positions, if you will. I would like to do so by allowing the words of a Southern judge. I would like to allow his words to speak for themselves.

This is a message that was delivered by a Southern judge on October 4 of 1957. Mr. Speaker, I shall not call his name. I do not want to embarrass his family. But he was the vice president of a bar association. He was a circuit court judge. He received his BA from a prestigious institution, and he taught sociology.

Mr. Speaker, please hear now his words so that people may understand why Brown v. Board of Education was so important to so many in this country. These are his words:

''Segregation in the South is a way of life. It is the means whereby we live in social peace, order and security.''

Mr. Speaker, I trust that many people can understand why persons of my generation are concerned when we hear the terms ''law'' and ''order,'' terms that indicate law enforcement will take law into its own hands by some standards. In fact, there was law and order at the Edmond Pettus Bridge on

Bloody Sunday, but there was not justice at the Edmond Pettus Bridge.

Many people seek justice when they look for law enforcement to enforce and maintain order. They look for justice as well.

He goes on to say: ''Ninety-eight percent of both races prefer segregation.''

He is now speaking for people that we now call African Americans. At that time, they were called Negroes.

''Integration is urged by the NAACP, a few Southern mulattoes''—this is a means by which light-skinned African Americans were separated from the darker African Americans.

He says that '' . . . a few Southern mulattoes, Northern Communist-front organizations and left-wing labor groups who would use the unsuspecting Negro as their tool.''

It is remarkable that someone would think that people yearning to be free would see those who are lending a hand as persons who are using them as tools.

He goes on to say: ''It does not work any economic hardship nor deprive the Negro of any of his constitutional rights.''

He is talking about segregation.

Then he goes on to say: ''The Negro has made great strides and the Southern white man is largely responsible for these advancements.''

This is a judge. One can only imagine what it must have been like to appear before him if you were Black.

He goes on to say: ''If in the South the Negro was permitted, as he is in some Northern States, to obtain the ballot by simply reaching 21 years of age, it would mean that no qualified white man in many counties throughout the South could ever hold public office. It would also mean that in the halls of Congress, seats now held by competent white representatives would be held by ignorant, incompetent Negroes.''

These are the words of a judge shortly after the Brown decision.

He explains: ''An exhaustive study of the program and results of integration in the schools of Washington, D.C., which the NAACP and other left wing groups''—thank God for the NAACP and leftwing groups—''fostering integration said would be a model for the rest of the United States to follow, clearly reveals that the average white student who was integrated in the class room with the Negro has been retarded two to three years in his educational progress. Therefore, it is not to the best interest of America that the white children, particularly in certain congested sections, be retarded three years in their educational advancement.''

He then states later on in his speech that '' . . . we have already, by constitutional amendment, authorized our legislature as other Southern States will do, to abolish the public schools if the Negro and white children are ever integrated therein. Make no mistake about it, we will abolish our public school system and establish private schools for our white children, and we will still provide and see that the Negro is educated separately. It will cost dearly, but we will do it.''

Finally, he concludes with these words. This is a judge. These are facts in the sense that these are statements that he had made. The history is there for those who wish to read it.

He indicates that: '' . . . As long as we live, so long shall we be segregated, and after death, God willing, thus it will still be!''

□ 1900

Mr. Speaker, I call this to our attention because it is important for us to understand what the horrors of segregation were really like; that this was not something that persons of African ancestry enjoyed; that segregation caused many persons more than an inconvenience. It really cost a good many people their lives.

So I thank God, Mr. Speaker, for the NAACP, for labor unions, and for people of goodwill of all hues who worked hard to make sure we arrived at this point in our history.

I thank God for Brown v. Board of Education, but I also understand that the Brown case, Mr. Speaker, was as much about fate as it was about facts. I contend that, but for the intrusive hand of fate, the Brown decision could have been, at minimum, a partial endorsement of segregation.

Unfortunately, because the Chief Justice at that time, whose name I shall not mention—I need not embarrass his family—was a notorious supporter of the doctrine of segregation.

However, Mr. Speaker, after arguments were made in the Brown case in 1952, and before the decision was announced in 1954, fate intruded, and the Chief Justice suffered a heart attack from which he did not recover.

A conservative President then had the duty to appoint a man to the new seat as Chief Justice of the Supreme Court. President Eisenhower appointed a man who participated in the World War II internment of Japanese Americans. This was Governor Earl Warren. He was appointed as the new Chief Justice. With this appointment, many persons thought that little would change on the Supreme Court. However, when Warren achieved a unanimous decision outlawing segregation, President Eisenhower is said to have stated that this was one of the biggest mistakes that he made by appointing Warren to the Supreme Court as his Chief Justice.

The Brown decision, Mr. Speaker, was little less than a minor miracle, and it has had a remarkable impact on our society. I probably stand here today because of the Brown decision. At the time the decision was rendered, there were two African Americans in Congress. Today we have approximately 50 African Americans in Congress.

The Brown decision has made a difference in the lives of people. Integration of schools has been of benefit to young people.

I have an article that I would like to read from. It is styled: ''The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms.'' This is from the Century Foundation, a reputable organization.

In the general sense, here is what the article addresses:

It indicates that students in integrated schools have higher average test scores.

Students in integrated schools are more likely to enroll in college.

Students in integrated schools are less likely to drop out.

Integrated schools help to reduce racial achievement gaps.

Integrated classrooms encourage critical thinking, problem-solving, and creativity.

Attending a diverse school can help reduce racial bias and counter stereotypes.

Students who attend integrated schools are more likely to seek out integrated settings after they leave school and enter life.

Integrated classrooms can improve students' satisfaction and intellectual self-confidence.

Learning in integrated settings can enhance students' leadership skills.

Finally, of the many things—and I have not cited them all—diverse classrooms prepare students to succeed in a global economy.

Mr. Speaker, there is little question in my mind and in the minds of many that integration has made a difference in the lives of people in this country. Integration has not only been of benefit to us in classrooms, but the truth is that we live in a society wherein integration has allowed us, by virtue of Brown v. Board of Education, to sleep where we sleep, to eat where we eat, to live where we live.

Brown v. Board of Education has had far-reaching implications beyond that of the classroom. In fact, the economic order, the political order, and the social order were positively impacted by Brown.

So, Mr. Speaker, I want to make it clear that I believe we have to, in this country, protect the integration and desegregation that society has produced.

I see that I have another colleague present. Mr. Speaker, can you give me the amount of time that I have left?

The SPEAKER pro tempore. The gentleman from Texas has 14 minutes remaining.

Mr. AL GREEN of Texas. I assure my colleague that I will provide ample time.

Continuing, Mr. Speaker, I am concerned about the re-segregation of our society. I believe that it can occur, and I believe that we must guard against it. I believe that the voucherization of public school funding has been and continues to be the enemy of desegregation and integration.

Allow me to explain. After the Brown decision, as I have indicated, many States sought to repeal the requirement that they maintain a public

school system, and many did. After the Brown decision, vouchers were seen as a means by which public schools could be privatized, so that the public school system would exist with private tax dollars that were in the form of vouchers, and would allow people to still go to the schools of their choice. ''School choice'' was one of the watchwords of the day.

After the Brown decision, in 1955, thereabouts, Milton Friedman, Nobel Laureate, proposed that vouchers be used to allow children to go to the schools of their choice, allow their parents to have this opportunity to send their children to the schools of their choice.

Mr. Speaker, these vouchers, had they been used as proposed, would have continued to perpetrate segregation and perpetuate it for years to come. These vouchers were not used, thank God. I regret to say, however, that many States are currently proposing voucher systems that can lead to the re-segregation of society.

We have a duty to protect the gains that have been made, that have been fought for by the NAACP, by labor unions, by people of goodwill of all hues. We have got a duty and an obligation to protect these gains, and not allow our country to slip back into a dark past that no one wants to relive.

I would hope, Mr. Speaker, that as we continue our progress, we will remember the past that we have been able to extricate ourselves from. And in so doing, it is my desire that we give special attention to these attempts to use tax dollars, to voucherize tax dollars so that public schools can be privatized with tax dollars, which can lead to separation, which can lead to the re-segregation of society.

At this time, Mr. Speaker, I have my colleague, the Honorable JIM CLYBURN present from South Carolina. He is known as a historian par excellence. I am so honored to yield to him so that he may speak on the subjects related to Black history and the NAACP.

I yield to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, HBCUs, Historically Black Colleges and Universities, have been the topic of a great deal of discussions recently, and I rise, as part of the observance of Black History Month, to recognize and celebrate one of them, Allen University in Columbia, South Carolina.

Similar to the many Historically Black Colleges and Universities across the Nation, Allen University's contributions to my home State of South Carolina and the Nation are immeasurable. Founded to offer education and opportunity to formerly enslaved African Americans, HBCUs have been central institutions in African-American communities for generations.

In 1870, 5 years after the end of the Civil War, the clergy of the African Methodist Episcopal Church set out to create an institution to educate newly freed slaves and train clergy for the AME Church. The Church purchased land in Cokesbury, South Carolina, and named the new college Payne Institute in honor of AME Bishop Daniel Payne, a native of Charleston, South Carolina. Bishop Payne had become the first Black college president in the United States at Wilberforce University in 1863, which he had helped found.

In 1880, Bishop William Dickerson sought to relocate the college to Columbia and acquired land on which the campus sits today. The institution was renamed Allen University after Richard Allen, the founder and first bishop of the AME Church.

Higher education remained segregated in South Carolina until the early 1960s. The University of South Carolina, also in my district, only a mile away from Allen, for example, admitted its first African American in 1963, 2 years after I graduated college.

Throughout the Jim Crow era, Allen University offered degrees in law, education, and theology, and at one time also offered elementary and high school classes.

Several of its buildings are on the National Register of Historic Places, forming the Allen University Historic District. Arnett Hall, the oldest building on campus, was constructed in 1891 by the students themselves. It was named after Benjamin W. Arnett, an early leader of the AME Church, who served on Allen University's Board of Trustees.

The Chappelle Administration Building, which houses the Chappelle Auditorium, was designed by John Anderson Lankford, known as the dean of Black architects, and completed in 1925. It was named after William David Chappelle, the great-grandfather of comedian Dave Chappelle, and a graduate of Allen University, who later served as its president. Chappelle Auditorium is one of five buildings in Columbia designated a National Historic Landmark.

This historic campus has been central to the Waverly neighborhood and the African-American community in Columbia. Black artists, such as Leontyne Price, Langston Hughes, and Brook Benton, all appeared at Chappelle Auditorium.

In 1947, the Reverend James Hinton, then-president of the NAACP of South Carolina, held a rally at Chappelle, which was attended by Reverend Joseph A. DeLaine, an Allen University alumnus. Inspired by the event, Reverend DeLaine organized families in Summerton, South Carolina, to petition their school district to provide buses for Black students who, at the time, were forced to make a daily walk of 9 miles to school.

□ 1915

This case, Briggs v. Elliott, was the first of the five cases that became Brown v. Board of Education of Topeka, Kansas. It is no exaggeration, Mr. Speaker, to say that Allen University was the birthplace of the movement that overturned ''separate but equal'' and brought an end to legal segregation in America. Allen University will remain central to the struggle for civil rights.

In the early 1960s, Allen University students led demonstrations at segregated lunch counters and participated in many of the marches in Columbia during that period. National leaders such as Martin Luther King, Jr., Roy Wilkins, and Ralph Abernathy visited Allen during these demonstrations, often staying on campus when they came to town.

Today Allen University is a liberal arts institution still operated by the AME Church. It has graduated many notable elected officials, including State Representative William Clyburn and his wife, Beverly Dozier Clyburn, who retired from the Aiken, South Carolina, City Council several years ago. Retired State Senator Kay Patterson is also a graduate. Two of Allen's alumni, former Senator Clementa Pinckney and Tywanza Sanders, were among the nine who were murdered during the attack at Emanuel AME Church in 2015.

Several of its historic buildings, like Arnett Hall and Chappelle Auditorium, have been restored recently with Federal funding from the HBCU Historic Preservation Program, which this body in its collective wisdom voted unanimously last year to reauthorize. I plan, along with my friend Representative GREEN and other members of the Congressional Black Caucus, to reintroduce that bill this year. I am hopeful that we will repeat the unanimity this year and that the Senate will support our efforts.

Allen University has made an indelible mark on our society over the past 147 years. I ask all of my colleagues to join me in honoring its great contributions to this great Nation.

Mr. AL GREEN of Texas. I thank Mr. CLYBURN for those wonderful comments. They were most edifying, and I am sure that a good many people have acquired a better understanding of Allen University.

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

The SPEAKER pro tempore. The gentleman has 2 minutes remaining.

Mr. AL GREEN of Texas. Mr. Speaker, I will simply say this in my last 2 minutes. I am grateful that the NAACP was there not only for me, but for this country. The NAACP filed and won many cases, but Brown v. Board of Education has to be one of the most outstanding pieces of litigation that it engaged in.

Of course, you can't talk about Brown without mentioning the Honorable Thurgood Marshall, who was the lead counsel in the Brown case who went on to become a Justice on the Supreme Court.

The Brown case has transformed American life. It desegregated and integrated American society, the economic order, and the political order as well. I am blessed to be here because of

Brown v. Board of Education, and my hope is that we will understand that desegregation and integration are here now—and we will fight for them—but we have to also understand that we can go from desegregation to resegregation. We must be careful, we must vigilant, and we must protect the gains that we have made.

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

ISSUES AND OPPORTUNITIES AT THE VA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. O'ROURKE) for 30 minutes.

Mr. O'ROURKE. Mr. Speaker, I came to the floor this evening primarily to talk about issues and opportunities at the VA and the successful confirmation of our new Secretary of Veterans Affairs, Dr. David Shulkin, but I would be remiss in not thanking my colleague from Texas (Mr. GREEN) for his powerful words about the NAACP and the profoundly positive impact that they have had on this country and on our ability to make the most of the potential that we have in every single community in the United States.

Mr. GREEN is well aware of the inordinate pride that I have in the community I represent of El Paso, Texas, and how the first chapter of the NAACP was started in El Paso, Texas, through the good work of Dr. Lawrence Nixon, who also has the distinction of having been the man who effectively desegregated voting in the State of Texas, ending the all-White primary which had prevailed following Reconstruction in our State, much to our lasting shame. But to our immense pride, he was the man and our community was the place where that successful fight began.

As Mr. GREEN also knows, because I had the pleasure and honor of joining him in a Special Order not too long ago, El Paso also was the home of Thelma White, who, along with some other young, courageous El Pasoans, had gone to the all-African-American high school, Douglass High School, in El Paso. They attempted to enroll in Texas Western College, now known as the University of Texas at El Paso, but were denied entry simply based on the color of their skin.

Thanks to the NAACP and one of their most promising attorneys, Thurgood Marshall, they were able to take this case to a Federal bench, in fact, the bench of R.E. Thompson, who also happens to be an El Pasoan, whose ruling not only ruled in their favor, but effectively desegregated higher education in the State of Texas at that time and forever more.

So I just want to add my thanks and my support for an outstanding organization and the very positive impact that they have had on the State that I call home and the community that I am so lucky to serve and to represent. I thank the gentleman from Texas for staying just a little bit longer.

Mr. Speaker, I am also here today to thank my colleagues in the Senate, who, 100–0, yesterday confirmed the President's nomination of Dr. David Shulkin to be the next Secretary of the VA at what I think is the most critical moment in the history of that critically important organization.

We all know of the severe challenges that the VA and the veterans whom it purports to serve face today. We know of the challenges in service-connected disability claim wait times—in the appeals that are made to those claims when the judgment or the ruling is not in favor of the veteran in question or there is an error in that judgment or some additional information needs to be added—and wait times in appeals that last not days or weeks or months, but measured in years.

We know about challenges in wait times for those veterans who are seeking to get an appointment with a primary care physician, a specialty care physician, or, I think most critically, at a time when 20 veterans a day in this country—and that is a conservative estimate, 20 veterans a day—are taking their own lives, severe wait times to see a mental health care provider. Those are among the most important challenges that we as a Congress and those of us who serve on the Veterans' Affairs Committee face today.

So, again, I am grateful for the Senate's work on this issue in confirming Dr. Shulkin. I have got to say, despite some deep disagreements, differences, and disappointments with the current administration, I am grateful to this President for the public good he has done in nominating Dr. Shulkin, a man who has served in previous roles as CEO of Beth Israel Medical Center in New York City, chair of medicine at Drexel University College of Medicine, and beginning in the summer of 2015, the Under Secretary for the Veterans Health Administration, where he hit the ground running and began working on the challenges before us, providing solutions to them nationally and in our individual congressional districts on the ground working with the teams there both at the VA, in the public and private sector, and with the various Representatives who brought these issues to his attention. So I could not be more grateful for his service, and I want to speak about that a little bit more.

I also want to acknowledge that we have some excellent leadership on both the Senate Veterans' Affairs Committee and here in the House, where Dr. PHIL ROE of Tennessee is taking the helm as the chairman of the House Veterans' Affairs Committee—he, himself, a medical doctor; he, himself, a veteran; and he, himself, someone who chose to serve on the committee as just one member of that committee in the years leading up to his selection by his colleagues as a chairman. I know from talking with him that he has big plans, significant and defined goals, and he is willing to work on a bipartisan basis to make sure that we achieve them. I am really looking forward to the ability to work with him. He is joined by returning Members who have sought position on the Veterans' Affairs Committee.

Now, for those who don't know, for too long, the Veterans' Affairs Committee was seen as a backwater or a basement. It wasn't a place where an aspiring Member of Congress with ambitions went to do her or his work. This was a place they were relegated to when they couldn't make it on to a bigger or better committee. That was the old conventional wisdom.

These days, I am proud to report, the Veterans' Affairs Committee is a place of distinction, where Members serve with pride, where we ask to join that committee, as I did after I was elected in 2012, so we can tackle some of the most difficult challenges before this Congress and, certainly, this country: how we ensure that we deliver the best care to the 20 million-plus veterans who have put their lives on the line and served this country in a way that no other American has, in a way that ensures that we have the America that so many of us take for granted, veterans whose service dates back to World War II and leads up to those who are just returning from Afghanistan, Iraq, and many places all over the world where we have U.S. servicemembers stationed in more than 140 countries today.

Ensuring that we fulfill our obligations to them, whether it is post-9/11 GI Bill educational and workforce benefits, whether it is access to quality and consistent health care or ensuring that we quickly, effectively, and successfully respond to claims made after there is a service-connected disability incurred in service, we need to get these things right. The future of our country depends on it, our honor depends on it, and the commitments that we have made and the obligations that we have incurred as a country to these veterans, all that depends on our successful completion of that work.

So I am grateful for the Members who have chosen to serve on that committee; I am grateful for our chairman; and I am grateful for our ranking member, Mr. TIM WALZ of Minnesota, who also happens to be the highest ranking enlisted servicemember to ever serve in the Congress as a command sergeant major, someone who has asked to be on that committee, who has written significant legislation, has ensured that the Clay Hunt SAV Act, for example, became law, which gives us a better opportunity to reduce veteran suicide, which I think is the most critical issue that we can address, that we reduce the number of veterans who are taking their own lives and provide more resources and more help.

I will say this about Mr. WALZ: He is someone who puts his country above

party, the work that he has to do above his own self-advancement, and I think it is with that attitude, with that character, and with the bipartisan group of House Veterans' Affairs Committee members that we are going to see great work come out of this committee, great leadership come from Mr. WALZ and his chairman.

I am so glad that Mr. WALZ has decided to spend part of his Valentine's Day evening with me on the floor of the House talking about the great work that lies ahead for us when we try to serve the veterans of this country.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. Mr. Speaker, I thank the gentleman from El Paso.

I very much appreciate, always, the story and the passion that you have for that great community and look at the leadership that comes out of there. I certainly know in your work for veterans your name will be added to that list. The passion, the willingness to solve problems, the willingness to find and make the tough choices to fulfill this Nation's commitment to our veterans is something I am just proud to serve alongside you.

I would echo the gentleman's comments, having the opportunity today to witness the swearing in of Dr. David Shulkin as our next VA Secretary, being there with Vice President PENCE along with Senators ISAKSON and TESTER on the Senate side and Dr. ROE, of whom you spoke very accurately, Mr. O'ROURKE—a true gentleman, an impassioned advocate for veterans, and a no-nonsense legislator, exactly what we need.

□ 1930

You just have to watch the sense of can-do spirit up there and see Dr. Shulkin and his family—with young children—and the sacrifice that goes into public service. This is a gentleman who could make far more money and probably have a lot less headaches if he would continue to serve in the private sector. He chose not to do that for all the right reasons.

I think it probably brings us to the message that Mr. O'ROURKE is delivering. This is something that unites this country more than anything else: the care and service to our veterans.

It doesn't matter your political persuasion, it doesn't matter where you fall on the spectrum, it doesn't matter what you necessarily think of the wars or the conflicts that we are engaged in, but the care for those veterans is something that my folks in Mankato, Minnesota, your folks in El Paso, folks in Philadelphia, Los Angeles, Seattle, and every small town in between want us to get right. They want us to use the data to deliver the benefits that were earned. They want us to get it right to show that this Nation's commitment is not something that is fleeting or comes and goes. I think most people understand this is a complex issue.

Again, I was reading recently—to put this into perspective—when they make this promise, when they raise their hand to serve this Nation, they are in it for the long haul. The Veterans Benefits Administration is still paying out $73 a month to the daughter of a Civil War veteran. 152 two years after the end of that conflict, this Nation still needs to keep its commitment.

So, when you go to war, it comes with a long tail attached to it. That long tail attached is doing what President Lincoln asked us to do: care for those who bore the battle, their widow, and their orphan.

I think it is within that spirit that I would encourage our constituents, Mr. Speaker, to take an eye and look at what is happening with veterans' issues. When they don't believe anything can work, and they believe everything up here is a fight and that we couldn't agree it is Tuesday today, that is simply not the case. We have good, smart people working for solutions to difficult problems who are in the best interest of this Nation, the best interest of our veterans, and the best interest of taxpayers.

I would encourage people not to make rash generalizations. When people say, Oh, nothing works in the VA, that is not true. Many things work in the VA, and many things work very well. But when they don't, that is an abject failure. When one veteran is left behind or a situation like Phoenix arises, no, that is not good enough, and we can do better.

But we have an attitude that we don't need to keep this commitment to the VA, that we don't need to do that, or somehow that we are not already using our resources in the private sector. The gentleman, I am sure, will talk about it, but last year, 31 percent of all healthcare needs were delivered in the private sector in fee-for-service.

When that makes sense, when it is most efficient, when it is most convenient for the veteran, we should deliver that, but with an understanding the VA has a core mission to do research into extremity injuries or things that would not happen, outside of industrial accidents or war. The VA needs to be there. The VA needs to be there to train physicians. The VA needs to be there to make sure we keep that accountability, instead of telling a veteran: You are just on your on. Good luck getting your care.

It is in that spirit that I, too, am hopeful. I think it needs to be said to our constituents, Mr. Speaker, and it goes through administration after administration, whether you like the administration or not, the commitment to veterans has to be there.

They have got some of it right; they have got some of it wrong. I think there is a responsibility that, in the first choice of this administration in dealing with veterans, I believe they might have picked the one person in this country best suited to do the job for veterans. That says a lot.

I think it is important to stress that point, understanding that that Secretary can't do it alone. Congress writes the laws. This House authorizes the money to make that happen. We have oversight responsibility, and we have partners in our veterans service organizations who are there to help, whether it be the American Legion, whether it be the VFW, the DAV, the Iraq and Afghanistan veterans. These are all folks out there who want to keep that commitment to want to help.

The gentleman spoke true, and he spoke true from the heart that, at that one time, people may not have seen service on the VA Committee as something as a prize position. The folks who have found themselves there are committed to this, above everything. They are committed to it above party. They are committed above their own personal advancement. On both sides of the aisle, there is a camaraderie that is rarely seen in the press, that is rarely seen by the general public about getting this right.

I think there is much that can be restored. If anything, I oftentimes say how we conduct ourselves in this people's House of Representatives must be a direct reflection on the sacrifice that gives us the right to self govern.

Those who paid the ultimate sacrifice were doing it so that citizens could elect their Representatives to debate the issues of the day in a free and open democracy. So just the exercise tonight of having the opportunity and the privilege to share a little of the floor was given to us at great sacrifice. We need to conduct ourselves in a bipartisan, results-oriented manner that honors that commitment.

I thank the gentleman from El Paso and look forward to his leadership as our ranking member on subcommittees that are coming up on issues that will affect employees at the VA and delivery of care. I know they are in good hands. As I say it again, I love the stories of El Paso from such an impassioned son of El Paso. I think your constituents should be proud you are there.

Mr. O'ROURKE. I thank the gentleman from Minnesota and the ranking member of the full committee of the House Veterans' Affairs Committee for being here tonight and talking about not just our challenges, but some of the hope and opportunity that we have ahead with this new Secretary for the VA, this new leadership on the committee, and this renewed commitment from this Congress and this country to do the right thing by her veterans.

I am so glad, Mr. Speaker, that he mentioned the necessity to ensure the long-time health and viability of the VA. There has been some talk about privatizing the VA and of just essentially asking our veterans to go find their own doctors and their own medical providers in the communities in which they live, no longer having the VA as the core of the delivery of care that they have depended on for so long.

I think it is important that Secretary Shulkin, in his confirmation

hearing, said that he would never be part of privatizing the VA, at least not on his watch, at least not during his tenure.

While there are opportunities to capitalize on care in the community, as the ranking member said, only at the VA will we have doctors, nurses, providers, and frontline staff, many of whom are, by the way, themselves veterans who have uniquely cared for other veterans, know the signs to look for when we are trying to reduce veteran suicide, know specifically how to treat post-traumatic stress disorder, traumatic brain injury, military sexual trauma, traumatic amputations—the kinds of conditions that don't typically occur in the civilian population and that we don't see at our general private-public hospitals, but are unique to the VA and unique to military medicine, where we uniquely will ensure that our veterans and military retirees get world-class care from those who are uniquely trained to deliver that to ensure the best outcomes.

While we should never shy from the shortcomings or the challenges within the VA—and there are plenty of them—I think it is really important to reiterate how often we are successful in seeing veterans whose care depends upon a doctor or a provider at the VA who leaves that appointment grateful for the time that they were able to spend there, grateful for the care they received, and grateful for the fact that there is a VA.

This last week, on Friday—it was a few days early—we took some Valentine's Day cards made by elementary school students at LBJ Elementary in El Paso to veterans at the VA. I was joined by Colonel Mike Amaral, the new permanent director of the El Paso VA, formerly chief of staff at William Beaumont Army Medical Center.

We shook hands with veterans, shook hands with frontline staff, shook hands with nurses and providers at the VA, thanking them for their service, wishing them an early happy Valentine's Day. To each veteran either coming in or leaving the VA, I asked them what their experience was like in either making an appointment, if they were on their way in, or how their appointment went when they were on their way out.

As the ranking member knows, the veterans who we represent are never shy about sharing the truth and the facts of their experience with the VA. We hear the good, we hear the bad, we hear the ugly.

At the El Paso VA on Friday, for every veteran who had been seen by a doctor, the story was a positive one. For every veteran going in to see a doctor, the story was a positive one. It doesn't mean that every single veteran's story in El Paso is positive. Let's acknowledge that some appointments are dropped. Sometimes the phone isn't answered. Sometimes an appointment is made and the doctor is not there to see the veteran.

All of those circumstances are unacceptable. I know Colonel Amaral feels the way I do. I know Secretary Shulkin feels the way I do. I know every single Member of Congress feels the way I do. But let's remember that the vast majority of veterans are able to be seen, are getting great health care at the VA, and, for the most part, when they are referred to care in the community when a doctor is unavailable at the VA, when a psychiatrist is not able to see that veteran for a behavioral health appointment and referred to a provider in the community, most of those right now are working well. Not perfectly, not all the time.

There is work before us that we must do, and it is critically important, but I am making the point that the VA needs to maintain the core of delivery of care to our veterans. We can add to that core the providers in our communities, public hospitals, private hospitals, clinics, doctors, those who want to step up at not great profit to themselves. The rates that they are reimbursed are just at or less than Medicare, but they do it because they want to do their part to continue to serve this country, to serve veterans who stood up, put their lives on the line, and ensured that we have the United States that we are so grateful for today.

So I think that is a positive situation on which we can build with the right team here in Congress, at our local VAs, and with our new Secretary.

I will tell you a story about Secretary Shulkin. Shortly after he was named Under Secretary of Veterans Health Administration, I brought to his attention the suicide crisis that we have in El Paso among El Paso veterans, in Texas, and in the United States, where we now know that today, by VA's latest estimate, 20 veterans are taking their own lives. The old estimate was 22. It was based on incomplete data. All 50 States' basis for the new numbers shows us that we are at 20. That is too many. It is unacceptable. It has to become our number one priority. Unless it is, we won't reduce that number, we won't save more lives, we won't prevent more preventable deaths.

I shared with Dr. Shulkin that, after hearing from veteran after veteran after veteran, while generally their care received in the VA was excellent—when they were there, they were treated like a king or a queen—too often, when they were seeking a behavioral health appointment, mental health care appointment, maybe related to post-traumatic disorder, maybe a Vietnam-era veteran who had successfully bottled his trauma, experiences for 40, 45, 50 years who was now coming to terms when he reached certain crossroads in his life with that trauma and needed to speak to someone, too often they were not able to get in to see somebody at the VA.

So we conducted a scientific, objective, third-party survey of veterans in El Paso, and we found—with a margin of error less than 4 percent, so this is pretty conclusive—that more than a third of veterans in our community could not get in to see a mental health care provider when, at that time, the prescribed 2 weeks, not within 30 days, not within a year. Just not ever.

We know for a fact that care delayed becomes care denied. It leads to terrible outcomes. At a minimum, unnecessary suffering for that veteran; at worst, preventable deaths. Veterans taking their own lives.

So I brought this issue to Dr. Shulkin's attention. I told him this community had rallied around our veterans in El Paso, Texas, and that the VA providers there, the public hospital, University Medical Center; Del Sol Hospital; Providence Hospital; Mentis Neurological Rehabilitation Center, another private facility; all of these folks wanted to come together to see if they could fill the gap in care and coverage that the VA was unable to meet.

But we needed some leadership from the VA. We needed them to take a chance on a model that had never been tried before. We wanted Dr. Shulkin and the VHA to get behind a pilot program in El Paso that would allow us to take some of these matters into our own hands, where, despite the best intentions and significantly increased funding from the VA in El Paso, we still weren't able to see veterans who desperately need care.

Dr. Shulkin reviewed the proposal with us, made some suggested changes, and within 4 months of having been sworn in as Under Secretary of VHA, he was able to help us get this pilot program approved, underway, with a collaboration with Texas Tech University Health Sciences Center in El Paso, after finding that the best performing VAs in the country are associated with academic teaching institutions.

He made that partnership with Texas Tech possible. He made referring care out into the community where we didn't have the doctors in the VA possible. He ensured that at the VA we continue to concentrate on those areas of excellence—on service and combat-connected disabilities and conditions that we don't see in the general population that, more than anything else, makes the case for the VA: for strengthening the VA, for ensuring that it is not there just today, but forever.

As long as we have a country, we should have a VA that performs at the high levels in those areas where veterans need it most—post-traumatic stress disorder, traumatic brain injury, traumatic amputation, military sexual trauma—those conditions that are unique to service and to combat.

□ 1945

So I am really encouraged that we have him now as the Secretary of the full VA. I am really encouraged that we have the leadership like Mr. WALZ and Dr. ROE in the Committee on Veterans' Affairs in the House. I am really

encouraged by the leadership that we see on the Senate side, and I have got to tell you—and I am sure that Mr. WALZ would agree with me—we have leadership out in every single community in this country, from the Veterans of Foreign Wars, from the Vietnam Veterans of America, from the Iraq and Afghanistan Veterans of America, from the Disabled American Veterans, from the Paralyzed Veterans of America, from every single veterans service organization, too many to mention in the time that I have allotted today, who put the pressure, provide the solutions, make trips up to Washington, D.C., as they will this next week, to ensure that they are holding us accountable for the terrific responsibility that we have before us, and that we perform against that responsibility and that we perform against the goals that we have set—very ambitious, but achievable goals—for this country and every single veteran who has served who lives in this country who we have a sacred obligation to today.

I am encouraged that this committee, this Congress, this country works on a bipartisan—or let's just say a nonpartisan—basis to get that work done. We are introducing two bills tomorrow, for example, both with Republican cosponsors. The first bill is the Veteran Prescription Continuity Act with Representative MIKE COFFMAN from Colorado and Representative WALTER JONES from North Carolina. That bill, if made into law, will ensure that veterans who were dependent on the care provided in part through prescriptions prescribed while they were Active Duty servicemembers at a military treatment facility are still able to receive those prescriptions as veterans. A lot of folks don't know this, but we don't have a unified formulary between DOD and VA. Some veterans, some prescriptions get dropped along the way. Here is a no-brainer, quick bipartisan fix to that part of the problem.

The other bill is the Mental Health Care Provider Retention Act, also introduced with WALTER JONES from North Carolina. This ensures at a time of crisis when it comes to veteran suicide that if you are an Active Duty servicemember and you are receiving good treatment at a military treatment facility for post-traumatic stress disorder, for example, or other mental health issues, that if the VA cannot continue that care because we don't have enough psychiatrists or psychologists—we are 45,000 clinical positions short in the VA today—if you are getting good care in the Department of Defense military treatment facility and there is not that care for you on the VA side as you transition out and separate in a given community like El Paso, that you will be able to continue to receive quality mental health care treatment at that military treatment facility.

Again, this isn't going to solve every access problem. It is not going to, in itself, reduce or solve the suicide crisis we have amongst veterans, but it is a commonsense, bipartisan approach that makes things a little bit better, that ensures that we have more access for more veterans and begin to take more steps toward reducing veteran suicide.

Mr. Speaker, I am very encouraged today by the opportunities before us, by the leadership that is ready to take on that work, and with the opportunity I have to join these leaders to ensure that we fulfill every commitment that we have to every veteran in America.

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

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON FINANCIAL SERVICES FOR THE 115TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, February 14, 2017.

Hon. PAUL RYAN,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: I submit for publication the attached copy of the rules of the Committee on Financial Services of the U.S. House of Representatives as adopted on February 2, 2017, for the 115th Congress.

Sincerely,

JEB HENSARLING,
Chairman.

RULE 1

GENERAL PROVISIONS

(a) The rules of the House are the rules of the Committee on Financial Services (hereinafter in these rules referred to as the ''Committee'') and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged motions in the Committee and shall be considered without debate. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable

(c) The provisions of clause 2 of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

RULE 2

MEETINGS

Calling of Meetings

(a)(1) The Committee shall regularly meet on the first Tuesday of each month when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereinafter in these rules referred to as the ''Chair''), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair, in accordance with clause 2(g)(3) of rule XI of the rules of the House.

(4) Special meetings shall be called and convened by the Chair as provided in clause 2(c)(2) of rule XI of the Rules of the House.

Notice for Meetings

(b)(1) The Chair shall notify each member of the Committee of the agenda of each regular meeting of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on any such day) before the time of the meeting.

(2) The Chair shall provide to each member of the Committee, at least three calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on any such day) before the time of each regular meeting for each measure or matter on the agenda a copy of—

(A) the measure or materials relating to the matter in question; and

(B) an explanation of the measure or matter to be considered, which, in the case of an explanation of a bill, resolution, or similar measure, shall include a summary of the major provisions of the legislation, an explanation of the relationship of the measure to present law, and a summary of the need for the legislation.

(3) At least 24 hours prior to the commencement of a meeting for the markup of legislation, the Chair shall cause the text of such legislation to be made publicly available in electronic form.

(4) The provisions of this subsection may be waived by a two- thirds vote of the Committee or by the Chair with the concurrence of the ranking minority member.

RULE 3

MEETING AND HEARING PROCEDURES

In General

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by a member designated by the Chair to carry out such duties.

(2) Meetings and hearings of the Committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television broadcast, radio broadcast, and still photography in accordance with the provisions of clause 4 of rule XI of the Rules of the House (which are incorporated by reference as part of these rules). 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.

(4) To the extent feasible, members and witnesses may use the Committee equipment for the purpose of presenting information electronically during a meeting or hearing, provided the information is transmitted to the appropriate Committee staff in an appropriate electronic format at least one business day before the meeting or hearing so as to ensure display capacity and quality. The content of all materials must relate to the pending business of the Committee and conform to the rules of the House. The confidentiality of the material will be maintained by the technical staff until its official presentation to the Committee members. For the purposes of maintaining the official records of the committee, printed copies of all materials presented, to the extent practicable, must accompany the presentations.

(5) No person, other than a Member of Congress, Committee staff, or an employee of a Member when that Member has an amendment under consideration, may stand in or be seated at the rostrum area of the Committee rooms unless the Chair determines otherwise.

Quorum

(b)(1) For the purpose of taking testimony and receiving evidence, two members of the Committee shall constitute a quorum.

(2) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of

authorizing a subpoena (other than a subpoena authorized and issued by the Chair pursuant to subsection (e)(1)), of closing a meeting or hearing pursuant to clause 2(g) of rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)) or of releasing executive session material pursuant to clause 2(k)(7) of rule XI of the Rules of the House.

(3) For the purpose of taking any action other than those specified in paragraph (2) one-third of the members of the Committee shall constitute a quorum.

Voting

(c)(1) No vote may be conducted on any measure or matter pending before the Committee unless the requisite number of members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of one-fifth of the members present.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) In addition to any other requirement of these rules or the Rules of the House, including clause 2(e)(1)(B) of rule XI, the Chair shall make the record of the votes on any question on which a record vote is demanded publicly available for inspection at the offices of the Committee and in electronic form on the Committee's Web site not later than one business day after such vote is taken. Such record shall include in electronic form the text of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the Committee present but not voting. With respect to any record vote on any motion to report or record vote on any amendment, a record of such votes shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members of the committee present but not voting.

(5) POSTPONED RECORD VOTES.—(A) Subject to subparagraph (B), 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. The Chairman may resume proceedings on a postponed request at any time, but no later than the next meeting day.

(B) In exercising postponement authority under subparagraph (A), the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote.

(C) 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) The Chair's authority to postpone recorded votes will not be used to prejudice a member with regard to the offering of another amendment. In the application of this rule, the Chair will consult regularly with the ranking minority member regarding the scheduling of the resumption of postponed votes.

Hearing Procedures

(d)(1)(A) The Chair shall make public announcement of the date, place, and subject matter of any committee hearing at least one week before the commencement of the hearing, unless the Chair, with the concurrence of the ranking minority member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chair shall make the announcement at the earliest possible date.

(B) Not less than three days before the commencement of a hearing (excluding Saturdays, Sundays, and legal holidays except when the House is in session on any such day) announced under this paragraph, the Chair shall provide to the members of the Committee a concise summary of the subject of the hearing, or, in the case of a hearing on a measure or matter, a copy of the measure or materials relating to the matter in question and a concise explanation of the measure or matter to be considered. At the same time the Chair provides the information required by the preceding sentence, the Chair shall also provide to the members of the Committee a list of the witnesses expected to appear before the Committee at that hearing. The witness list may not be modified within 24 hours of a hearing, unless the Chair, with the concurrence of the ranking minority member, determines there is good cause for such modification.

(2) To the greatest extent practicable—

(A) each witness who is to appear before the Committee shall file with the Committee two business days in advance of the appearance sufficient copies (including a copy in electronic form), as determined by the Chair, of a written statement of proposed testimony and shall limit the oral presentation to the Committee to brief summary thereof; and

(B) each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years. Such disclosure statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(3) The requirements of paragraph (2)(A) may be modified or waived by the Chair when the Chair determines it to be in the best interest of the Committee.

(4)(A) Subject to subparagraph (B), the five-minute rule shall be observed in the interrogation of witnesses before the Committee or any of its subcommittees until each present member thereof has had an opportunity to question the witnesses. No member shall be recognized for a second period of five minutes to interrogate witnesses until each present member of the Committee or such subcommittee has been recognized once for that purpose.

(B) The Chair may permit a specified number of members to question one or more witnesses for a specified period of time not to exceed 60 minutes in the aggregate, equally divided between and controlled by the Chair and the ranking minority member.

(5) Whenever any hearing is conducted by the Committee on any measure or matter, the minority party members of the Committee shall be entitled, upon the request of a majority of them before the completion of the hearing, to call witnesses with respect to that measure or matter during at least one day of hearing thereon. The Chair, with the concurrence of the ranking minority member, will determine the date, time, and place of such hearing.

(6) At any hearing of the Committee, opening statements by members of the Committee shall be limited to 10 minutes in the aggregate. The Chair shall control five minutes and recognize members in the Chair's sole discretion. The ranking minority member shall control five minutes; the Chair shall recognize members for such five minutes according to the direction of the ranking minority member as communicated to the Chair.

(7) Notwithstanding any member's oral delivery of an opening statement, written opening statements by any member of the Committee submitted to the Chair within 5 legislative days after the adjournment of a hearing shall be made a part of the official hearing record thereof

Subpoenas and Oaths

(e)(1) The power to authorize and issue subpoenas is delegated to the Chair. The Chair will provide written notice to the ranking minority member at least 48 hours in advance of the authorization and issuance of a subpoena, except when exigent circumstances exist that do not permit such amount of notice, in which case the Chair shall provide such notice as soon as possible.

(2) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(3) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

RULE 4

PROCEDURES FOR REPORTING MEASURES OR MATTERS

(a) No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present.

(b) The Chair of the Committee shall report or cause to be reported promptly to the House any measure approved by the Committee and take necessary steps to bring a matter to a vote.

(c) The report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure pursuant to the provisions of clause 2(b)(2) of rule XIII of the Rules of the House.

(d) All reports printed by the Committee pursuant to a legislative study or investigation and not approved by a majority vote of the Committee shall contain the following disclaimer on the cover of such report: ''This report has not been officially adopted by the Committee on Financial Services and may not necessarily reflect the views of its Members.''

(e) The Chair is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chair considers it appropriate.

RULE 5

SUBCOMMITTEES

Establishment and Responsibilities of Subcommittees

(a)(1) There shall be six subcommittees of the Committee as follows:

(A) SUBCOMMITTEE ON CAPITAL MARKETS, SECURITIES, AND INVESTMENT.—The jurisdiction of the Subcommittee on Capital Markets, Securities, and Investment includes—

(i) securities, exchanges, and finance;

(ii) capital markets activities, including securitization, business capital formation, securities lending, and repurchase agreements;

(iii) investment companies and advisers to private funds;

(iv) activities involving accounting and auditing;

(v) activities involving futures, forwards, options, and other types of derivative instruments;

(vi) the Securities and Exchange Commission;

(vii) the Financial Accounting Standards Board;

(viii) the Municipal Securities Rulemaking Board;

(ix) the Public Company Accounting Oversight Board;

(x) the Securities Investor Protection Corporation; and

(xi) self-regulatory organizations registered with the Securities and Exchange Commission.

(B) SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER CREDIT.— The jurisdiction of the Subcommittee on Financial Institutions and Consumer Credit includes—

(i) all agencies, including the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System and the Federal Reserve System, and the National Credit Union Administration, which directly or indirectly exercise supervisory or regulatory authority in connection with, or provide deposit insurance for, financial institutions, and the establishment of interest rate ceilings on deposits;

(ii) all matters related to the Bureau of Consumer Financial Protection;

(iii) the chartering, branching, merger, acquisition, consolidation, or conversion of financial institutions;

(iv) consumer credit, including the provision of consumer credit by insurance companies, and further including those matters in the Consumer Credit Protection Act dealing with truth in lending, extortionate credit transactions, restrictions on garnishments, fair credit reporting and the use of credit information by credit bureaus and credit providers, equal credit opportunity, debt collection practices, and electronic funds transfers, including consumer transactions using mobile devices;

(v) creditor remedies and debtor defenses, Federal aspects of the Uniform Consumer Credit Code, credit and debit cards, and the preemption of State usury laws;

(vi) consumer access to financial services, including the Home Mortgage Disclosure Act and the Community Reinvestment Act;

(vii) the terms and rules of disclosure of financial services, including the advertisement, promotion and pricing of financial services, and availability of government check cashing services;

(viii) deposit insurance; and

(ix) consumer access to savings accounts and checking accounts in financial institutions, including lifeline banking and other consumer accounts.

(C) SUBCOMMITTEE ON HOUSING AND INSURANCE.—The jurisdiction of the Subcommittee on Housing and Insurance includes—

(i) insurance generally; terrorism risk insurance; private mortgage insurance; government sponsored insurance programs, including those offering protection against crime, fire, flood (and related land use controls), earthquake and other natural hazards; the Federal Insurance Office;

(ii) housing (except programs administered by the Department of Veterans Affairs), including mortgage and loan insurance pursuant to the National Housing Act; rural housing; housing and homeless assistance programs; all activities of the Government National Mortgage Association; secondary market organizations for home mortgages, including the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Agricultural Mortgage Corporation; the Federal Housing Finance Agency; the Federal Home Loan Banks; housing construction and design and safety standards; housing-related energy conservation; housing research and demonstration programs; financial and technical assistance for nonprofit housing sponsors; housing counseling and technical assistance; regulation of the housing industry (including landlord/tenant relations); and real estate lending including regulation of settlement procedures;

(iii) community development and community and neighborhood planning, training and research; national urban growth policies; urban/rural research and technologies; and regulation of interstate land sales; and,

(iv) the qualifications for and designation of Empowerment Zones and Enterprise Communities (other than matters relating to tax benefits).

(D) SUBCOMMITTEE ON MONETARY POLICY AND TRADE.—The jurisdiction of the Subcommittee on Monetary Policy and Trade includes—

(i) financial aid to all sectors and elements within the economy;

(ii) economic growth and stabilization;

(iii) defense production matters as contained in the Defense Production Act of 1950, as amended;

(iv) domestic monetary policy, and agencies which directly or indirectly affect domestic monetary policy, including the effect of such policy and other financial actions on interest rates, the allocation of credit, and the structure and functioning of domestic financial institutions;

(v) coins, coinage, currency, and medals, including commemorative coins and medals, proof and mint sets and other special coins, the Coinage Act of 1965, gold and silver, including the coinage thereof (but not the par value of gold), gold medals, counterfeiting, currency denominations and design, the distribution of coins, and the operations of the Bureau of the Mint and the Bureau of Engraving and Printing;

(vi) development of new or alternative forms of currency;

(vii) multilateral development lending institutions, including activities of the National Advisory Council on International Monetary and Financial Policies as related thereto, and monetary and financial developments as they relate to the activities and objectives of such institutions;

(viii) international trade, including but not limited to the activities of the Export-Import Bank;

(ix) the International Monetary Fund, its permanent and temporary agencies, and all matters related thereto; and

(x) international investment policies, both as they relate to United States investments for trade purposes by citizens of the United States and investments made by all foreign entities in the United States.

(E) SUBCOMMITTEE ON TERRORISM AND ILLICIT FINANCE.—The jurisdiction of the Subcommittee on Terrorism and Illicit Finance includes—

(i) financial support networks of national security threats, including matters related to terrorist financing, money laundering, drug sale proceeds, and alternative remittance systems;

(ii) methods to detect and inhibit terrorism and illicit finance, including matters related to anti-money laundering and combating the financing of terrorism (AML/CFT) standards, asset forfeiture, and financial sanctions, as well as programs related to such matters administered by agencies or subunits thereof, including activities of the Office of Terrorism and Financial Intelligence and the Financial Crimes Enforcement Network; and

(iii) Inter-governmental initiatives to detect and inhibit terrorism and illicit finance, including the Financial Action Task Force.

(F) SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS.—The jurisdiction of the Subcommittee on Oversight and Investigations includes—

(i) the oversight of all agencies, departments, programs, and matters within the jurisdiction of the Committee, including the development of recommendations with regard to the necessity or desirability of enacting, changing, or repealing any legislation within the jurisdiction of the Committee, and for conducting investigations within such jurisdiction; and

(ii) research and analysis regarding matters within the jurisdiction of the Committee, including the impact or probable impact of tax policies affecting matters within the jurisdiction of the Committee.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

Referral of Measures and Matters to Subcommittees

(b)(1) The Chair shall regularly refer to one or more subcommittees such measures and matters as the Chair deems appropriate given its jurisdiction and responsibilities. In making such a referral, the Chair may designate a subcommittee of primary jurisdiction and subcommittees of additional or sequential jurisdiction.

(2) All other measures or matters shall be subject to consideration by the full Committee.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Chair, in his or her sole discretion, may discharge a subcommittee from consideration of it any measure or matter referred to a subcommittee of the Committee.

Composition of Subcommittees

(c)(1) Members shall be elected to each subcommittee and to the positions of chair and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the Committee shall designate a member of the majority party on each subcommittee as its vice chair. The Chair may designate one member of the Committee who previously has served as the chairman of the Committee as the Chairman Emeritus.

(2) The Chair and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees. The Chairman Emeritus shall be an ex officio member without voting privileges of each subcommittee to which he or she is not assigned and shall not count for purposes of establishing a quorum in such subcommittees.

(3) The subcommittees shall be comprised as follows:

(A) The Subcommittee on Capital Markets, Securities, and Investment shall be comprised of 28 members, 16 elected by the majority caucus and 12 elected by the minority caucus.

(B) The Subcommittee on Financial Institutions and Consumer Credit shall be comprised of 26 members, 15 elected by the majority caucus and 11 elected by the minority caucus.

(C) The Subcommittee on Housing and Insurance shall be comprised of 23 members, 13 elected by the majority caucus and 10 elected by the minority caucus.

(D) The Subcommittee on Monetary Policy and Trade shall be comprised of 21 members, 12 elected by the majority caucus and 9 elected by the minority caucus.

(E) The Subcommittee on Terrorism and Illicit Finance shall be comprised of 25 members, 14 elected by the majority caucus and 11 elected by the minority caucus.

(F) The Subcommittee on Oversight and Investigations shall be comprised of 21 members, 12 elected by the majority caucus and 9 elected by the minority caucus.

Subcommittee Meetings and Hearings

(d)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it, consistent with subsection (a).

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the Committee.

(3) The chair of each subcommittee shall set hearing and meeting dates only with the approval of the Chair with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

Effect of a Vacancy

(e) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee as long as the required quorum is present.

Records

(f) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6

STAFF

In General

(a)(1) Except as provided in paragraph (2), the professional and other staff of the Committee shall be appointed, and may be removed by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional and other staff provided to the minority party members of the Committee shall be appointed, and may be removed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) It is intended that the skills and experience of all members of the Committee staff be available to all members of the Committee.

Subcommittee Staff

(b) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 6(d) of rule X of the Rules of the House, ensure that sufficient staff is made available so that each subcommittee can carry out its responsibilities under the rules of the Committee and that the minority party is treated fairly in the appointment of such staff.

Compensation of Staff

(c)(1) Except as provided in paragraph (2), the Chair shall fix the compensation of all professional and other staff of the Committee.

(2) The ranking minority member shall fix the compensation of all professional and other staff provided to the minority party members of the Committee.

RULE 7

BUDGET AND TRAVEL

Budget

(a)(1) The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

(2) From the amount provided to the Committee in the primary expense resolution adopted by the House of Representatives, the Chair, after consultation with the ranking minority member, shall designate an amount to be under the direction of the ranking minority member for the compensation of the minority staff, travel expenses of minority members and staff, and minority office expenses. All expenses of minority members and staff shall be paid for out of the amount so set aside.

Travel

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

RULE 8

COMMITTEE ADMINISTRATION

Records

(a)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House and shall be available in electronic form and for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of rule XI of the Rules of the House.

(4) 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 of Representatives. The Chair 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 written request of any member of the Committee.

Committee Publications on the Internet

(b) The Chair shall maintain an official Committee website for the purpose of carrying out the official responsibilities of the Committee, including communicating information about the Committee's activities. The ranking minority member may maintain an official website. To the maximum extent feasible, the Committee shall make its publications available in electronic form on the official Committee website maintained by the Chair.

Audio and Video Coverage of Committee Hearings and Meetings

(c)(1) To the maximum extent feasible, the Committee shall provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily 24 listen to and view the proceedings; and,

(2) maintain the recordings of such coverage in a manner that is easily accessible to the public.

ADJOURNMENT

Mr. O'ROURKE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 15, 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:

572. A letter from the Acting Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting a report entitled ''Strategic and Critical Materials Operations Report To Congress: Operations under the Strategic and Critical Materials Stock Piling Act during Fiscal Year 2016'', pursuant to 50 U.S.C. 98h-2(a); June 7, 1939, ch. 190, Sec. 11(a) (as amended by Public Law 103-35, Sec. 204(d)); (107 Stat. 103); to the Committee on Armed Services.

573. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Clarification of When Products Made or Derived From Tobacco Are Regulated as Drugs, Devices, or Combination Products; Amendments to Regulations Regarding ''Intended Uses''; Delayed Effective Date [Docket No.: FDA-2015-N-2002] (RIN: 0910-AH19) received February 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

574. A letter from the President, National Legislative Assembly of Thailand, transmitting a letter expressing condolences to the victims and affected families of the Pulse Club shooting in Orlando, Florida; to the Committee on Foreign Affairs.

575. A letter from the Division Chief, Regulatory Affairs, Bureau of Land Management,

Department of the Interior, transmitting the Department's interim final rule — Onshore Oil and Gas Operations — Civil Penalties Inflation Adjustments (RIN: 1004-AE46) received February 12, 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.

576. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — Civil Penalties Inflation Adjustments [NPS-WASO-NAGPRA-22726; GPO Deposit Acct. 4311H2] (RIN: 1024-AE37) received February 12, 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.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 123. Resolution providing for consideration of the joint resolution (H.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients; providing for consideration of the joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to ''Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges Alaska''; and providing for proceedings during the period from February 17, 2017, through February 24, 2017 (Rept. 115–12). Referred to the House Calendar.

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. RODNEY DAVIS of Illinois:

H.R. 1029. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on 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. WILSON of South Carolina:

H.R. 1030. A bill to direct the Director of National Intelligence to conduct a study on cyber attack standards of measurement; to the Committee on Intelligence (Permanent Select).

By Mr. RATCLIFFE (for himself, Mr. WALKER, Mr. RICE of South Carolina, Mr. PALMER, Mr. AMASH, Mr. GOHMERT, Mr. BIGGS, Mr. ROE of Tennessee, Mr. WESTERMAN, Mr. HURD, Mr. PERRY, Mr. DUNCAN of Tennessee, Mr. HUDSON, and Mr. KING of Iowa):

H.R. 1031. A bill to eliminate the Bureau of Consumer Financial Protection by repealing title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly known as the Consumer Financial Protection Act of 2010; to the Committee on Financial Services.

By Mr. BYRNE:

H.R. 1032. A bill to expand the eligibility of veterans for hospital care and medical services provided by non-Department of Veterans Affairs medical providers under the Veterans Choice Program; to the Committee on Veterans' Affairs.

By Mr. COLLINS of Georgia (for himself, Ms. CHENEY, Mr. COHEN, Mr. CHAFFETZ, Mr. SCHRADER, Mr. GOSAR, Mr. THOMPSON of Pennsylvania, Mr. LABRADOR, and Mr. PETERSON):

H.R. 1033. A bill to amend titles 5 and 28, United States Code, to require the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

By Mr. ELLISON (for himself, Ms. LEE, Mr. QUIGLEY, Mr. CARTWRIGHT, and Ms. NORTON):

H.R. 1034. A bill to authorize the Administrator of the Environmental Protection Agency to award grants for municipal solid waste prevention, reuse, and recycling program development, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POE of Texas (for himself, Mr. COHEN, Mr. RYAN of Ohio, Mrs. MIMI WALTERS of California, Ms. CLARK of Massachusetts, Ms. KUSTER of New Hampshire, Mr. RODNEY DAVIS of Illinois, and Mr. MOULTON):

H.R. 1035. A bill to extend the civil statute of limitations for victims of Federal sex offenses; to the Committee on the Judiciary.

By Mr. O'ROURKE (for himself, Mr. PEARCE, and Mr. SWALWELL of California):

H.R. 1036. A bill to amend the Immigration and Nationality Act to promote family unity, and for other purposes; to the Committee on the Judiciary.

By Mr. LYNCH (for himself, Mr. KING of New York, Mr. RUIZ, Mr. LIPINSKI, Mr. DUNCAN of South Carolina, Mr. HECK, Ms. CLARK of Massachusetts, Mr. WALZ, Mr. MCGOVERN, Miss RICE of New York, Mr. KEATING, and Mr. KENNEDY):

H.R. 1037. A bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIFFITH (for himself, Mr. WELCH, Mr. COLLINS of Georgia, Mr. JONES, Mrs. MCMORRIS RODGERS, Mr. BLUM, Mr. CRAWFORD, Mr. CARTER of Georgia, Mr. ROE of Tennessee, Mr. BABIN, Mr. SESSIONS, Mr. BARLETTA, Mr. MASSIE, Mr. HARPER, Mr. FERGUSON, Mr. GOODLATTE, Mr. DOGGETT, and Mrs. ROBY):

H.R. 1038. A bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies; 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. REICHERT (for himself and Mr. PASCRELL):

H.R. 1039. A bill to amend section 3606 of title 18, United States Code, to grant probation officers authority to arrest hostile third parties who obstruct or impede a probation officer in the performance of official duties; to the Committee on the Judiciary.

By Mr. BURGESS (for himself and Mr. FARENTHOLD):

H.R. 1040. A bill to amend the Internal Revenue Code of 1986 to provide taxpayers a flat tax alternative to the current income tax system; to the Committee on Ways and Means, and in addition to the Committee on Rules, 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. BILIRAKIS (for himself and Mr. JONES):

H.R. 1041. A bill to amend the Internal Revenue Code of 1986 to deny the refundable portion of the child tax credit to individuals who are not authorized to be employed in the United States and to terminate the use of certifying acceptance agents to facilitate the application process for ITINs; to the Committee on Ways and Means.

By Mr. GOSAR (for himself, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FRANKS of Arizona, Mr. HENSARLING, Mr. JONES, Mr. RICE of South Carolina, Mr. SCHWEIKERT, and Mr. STEWART):

H.R. 1042. A bill to require that the prevailing wage utilized for purposes of subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act), be determined by the Bureau of Labor Statistics; to the Committee on Education and the Workforce.

By Mr. DEUTCH:

H.R. 1043. A bill to amend title 18, United States Code, to limit the recovery of damages in a civil action related to the disclosure of certain personal information from State motor vehicle records, and for other purposes; to the Committee on the Judiciary.

By Mr. ELLISON (for himself and Mr. BLUMENAUER):

H.R. 1044. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on House Administration.

By Mr. GIBBS (for himself, Mr. FARENTHOLD, Mr. MCKINLEY, Mr. SESSIONS, Mr. ROE of Tennessee, Mr. LONG, Mr. FLEISCHMANN, Mr. PEARCE, Mr. AMODEI, Mr. BOST, Mr. BUCSHON, Mr. RENACCI, Mr. WEBER of Texas, Mr. TURNER, Mr. ABRAHAM, Mr. YOUNG of Alaska, Mr. GOSAR, Mr. HENSARLING, Mr. MEADOWS, Mr. RICE of South Carolina, Mr. LAMALFA, Mr. HARRIS, Mr. DUNCAN of South Carolina, Mr. DUNN, Mr. BERGMAN, Mr. WENSTRUP, Mr. MCCLINTOCK, Mr. BRAT, Mr. GRAVES of Missouri, Mr. OLSON, Mr. GAETZ, Mr. BABIN, Mr. JOHNSON of Ohio, Mr. GOHMERT, Mr. JOYCE of Ohio, and Mr. YOUNG of Iowa):

H.R. 1045. A bill to protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GUTHRIE (for himself and Ms. CASTOR of Florida):

H.R. 1046. A bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products; to the Committee on Energy and Commerce.

By Mr. JODY B. HICE of Georgia (for himself, Mr. ROTHFUS, Mr. GRAVES of Georgia, Mr. MEADOWS, Mr. FARENTHOLD, Mr. LAMBORN, Mr. WEBER of Texas, Mr. DESANTIS, Mr. JONES, and Mr. FRANKS of Arizona):

H.R. 1047. A bill to require the Bureau of Alcohol, Tobacco, Firearms, and Explosives to make video recordings of the examination and testing of firearms and ammunition, and for other purposes; to the Committee on the Judiciary, 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. KING of Iowa:

H.R. 1048. A bill to direct the President to impose duties on merchandise from the People's Republic of China in an amount equivalent to the estimated annual loss of revenue to holders of United States intellectual property rights as a result of violations of such intellectual property rights in China, and for other purposes; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself, Mr. COFFMAN, Mr. LOBIONDO, and Mrs. DAVIS of California):

H.R. 1049. A bill to enhance the database of emergency response capabilities of the Department of Defense; to the Committee on Armed Services.

By Mr. LARSEN of Washington (for himself, Mr. TONKO, Ms. NORTON, Mr. SMITH of Washington, Mr. KHANNA, Mr. THOMPSON of California, Mr. KEATING, Mr. SWALWELL of California, Mr. KILMER, Mr. RYAN of Ohio, Mr. GARAMENDI, Ms. SPEIER, Ms. KAPTUR, Mr. GRIJALVA, Ms. JUDY CHU of California, Mr. VARGAS, Ms. VELÁZQUEZ, Mr. POCAN, Mr. LANGEVIN, Mr. MCNERNEY, Ms. SLAUGHTER, Ms. SHEA-PORTER, Ms. TITUS, Mr. DESAULNIER, Ms. ESTY, Mr. NOLAN, Ms. JAYAPAL, Ms. KUSTER of New Hampshire, Mr. HECK, Ms. ESHOO, Ms. DELBENE, Ms. CASTOR of Florida, and Mr. HASTINGS):

H.R. 1050. A bill to establish a pilot program to promote public-private partnerships among apprenticeships or other job training programs, local educational agencies, and community colleges, and for other purposes; to the Committee on Education and the Workforce.

By Ms. MCSALLY (for herself, Mr. WITTMAN, Mr. OLSON, Mr. MACARTHUR, Mr. TIBERI, Ms. JENKINS of Kansas, Mr. BISHOP of Michigan, Ms. SINEMA, and Mr. WEBSTER of Florida):

H.R. 1051. A bill to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care; to the Committee on Ways and Means.

By Ms. MENG (for herself and Mr. MAST):

H.R. 1052. A bill to direct the Secretary of Veterans Affairs to develop best practices for caring for high-risk military occupation veterans as part of the evaluation of mental health care and suicide prevention programs administered by the Secretary; to the Committee on Veterans' Affairs.

By Mr. NADLER:

H.R. 1053. A bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes; to the Committee on the Judiciary.

By Mr. QUIGLEY (for himself and Ms. ROS-LEHTINEN):

H.R. 1054. A bill to promote botanical research and botanical sciences capacity, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Armed Services, Transportation and Infrastructure, and 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 Mr. RUSH:

H.R. 1055. A bill to acknowledge the fundamental injustice and the subsequent de jure and de facto racial and economic discrimination against those African-Americans impacted by the ''War on Drugs'' and the subsequent disparate and discriminatory mass incarceration, to determine the role that private corporations played in the prison industrial complex, to determine the impact of these forces on their families, to make recommendations to the Congress on appropriate remedies, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHRADER (for himself, Ms. BONAMICI, Mr. BLUMENAUER, and Mr. DEFAZIO):

H.R. 1056. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. MCCAUL, Mr. HUNTER, Miss RICE of New York, Mr. KELLY of Pennsylvania, and Mr. BUCHANAN):

H.R. 1057. A bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on 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. WENSTRUP (for himself, Mr. ABRAHAM, Ms. BROWNLEY of California, and Mr. RUIZ):

H.R. 1058. A bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BUDD (for himself and Mr. HUNTER):

H.J. Res. 72. A joint resolution relating to the disapproval of the proposed foreign military sale to the Government of Kenya of Air Tractor aircraft with weapons, and related support; to the Committee on Foreign Affairs.

By Mr. WILLIAMS (for himself, Mr. KING of New York, Mr. LUCAS, Mr. MCHENRY, Mr. PEARCE, Mr. POSEY, Mr. LUETKEMEYER, Mr. HUIZENGA, Mr. DUFFY, Mr. STIVERS, Mr. HULTGREN, Mr. ROSS, Mr. PITTENGER, Mrs. WAGNER, Mr. BARR, Mr. ROTHFUS, Mr. MESSER, Mr. TIPTON, Mr. HOLLINGSWORTH, Mr. POLIQUIN, Mr. HENSARLING, Mrs. LOVE, Mr. HILL, Mr. EMMER, Mr. ZELDIN, Mr. TROTT, Mr. LOUDERMILK, Mr. MOONEY of West Virginia, Mr. MACARTHUR, Mr. DAVIDSON, Mr. BUDD, Mr. KUSTOFF of Tennessee, Ms. TENNEY, Mr. ROYCE of California, and Mr. GRAVES of Georgia):

H.J. Res. 73. 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 Financial Services.

By Mr. BURGESS:

H. Con. Res. 23. Concurrent resolution providing for a joint session of Congress to receive a message from the President; considered and agreed to.

By Mr. LANGEVIN:

H. Con. Res. 24. Concurrent resolution establishing a Joint Committee on Russian Interference in the 2016 Election and the Presidential Transition; to the Committee on Rules.

By Mr. LIPINSKI (for himself, Mr. COLLINS of New York, Ms. BORDALLO, Mr. CÁRDENAS, Mr. COSTA, Ms. ESTY, Mr. AL GREEN of Texas, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILMER, Mr. LARSEN of Washington, Mr. MCNERNEY, Mrs. MURPHY of Florida, Ms. NORTON, Mr. PETERS, Ms. ROSEN, Mr. RUSH, Mr. RYAN of Ohio, Mr. SWALWELL of California, Mr. TONKO, and Ms. CLARKE of New York):

H. Res. 124. A resolution supporting the goals and ideals of Engineers Week; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce, 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. HARPER (for himself and Mr. BRADY of Pennsylvania):

H. Res. 125. A resolution providing amounts for the expenses of the Committee on House Administration in the One Hundred Fifteenth Congress; to the Committee on House Administration.

By Mr. HENSARLING (for himself and Ms. MAXINE WATERS of California):

H. Res. 126. A resolution providing amounts for the expenses of the Committee on Financial Services 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. RODNEY DAVIS of Illinois:

H.R. 1029.

Congress has the power to enact this legislation pursuant to the following:

The ability to regulate interstate commerce and with foreign Nations pursuant to Article 1, Section 8, Clause 3. In addition, the Congress has the power to provide for the general Welfare of the United States under Article 1, Section 8, Clause 1.

By Mr. WILSON of South Carolina:

H.R. 1030.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and requirements outlined in the National Security Act of 1947. Article I, section 8 gives Congress the power ''to . . . provide for the common defense and general welfare of the United States.'' The Necessary and Proper Clause of that section also grants Congress the power ''[t]o make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.'' Title I, Sec. 101 of the National Security Act of 1947, requires the National Security Council to ''assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security; for the purpose of making recommendations . . .''

By Mr. RATCLIFFE:
H.R. 1031.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution.
By Mr. BYRNE:
H.R. 1032.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 of the U.S. Constitution: 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. COLLINS of Georgia:
H.R. 1033.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7 of the United States Constitution, which states that ''No money shall be drawn from the Treasury but in consequence of Appropriations made by law; and a regular, statement and account of the receipts and expenditures of all public money shall be published from time to time.''
By Mr. ELLISON:
H.R. 1034.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution of the United States, which states:
The Congress shall have the 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. POE of Texas:
H.R. 1035.
Congress has the power to enact this legislation pursuant to the following:
Clause 18 of section 8 of article I of the Constitution which states that Congress has the 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. O'ROURKE:
H.R. 1036.
Congress has the power to enact this legislation pursuant to the following:
Article I, 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 the Constitution in the Government of the United States, or in any Department or Office thereof.
By Mr. LYNCH:
H.R. 1037.
Congress has the power to enact this legislation pursuant to the following:
Article 1 section 8 Clause 3 of the United States Constitution.
By Mr. GRIFFITH:
H.R. 1038.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress Under Article I, Section 8 of the United States Constitution.
By Mr. REICHERT:
H.R. 1039.
Congress has the power to enact this legislation pursuant to the following:
''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''
By Mr. BURGESS:
H.R. 1040.
Congress has the power to enact this legislation pursuant to the following:
The attached bill falls within Congress' constitutionally enumerated power to enact legislation pertaining to an income tax pursuant to Article I, Section VIII, ''The Congress shall have power to lay and collect Taxes.''
Moreover, Congress was given the authority to tax income at the federal level pursuant to Amendment XVI, ''The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.''
By Mr. BILIRAKIS:
H.R. 1041.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect Taxes, Duties, Imposts and Excises as enumerated in Article 1, Section 8, Clause 1 of the United States Constitution.
By Mr. GOSAR:
H.R. 1042.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1—This legislation adjusts the formula the federal government uses to spend money on federal contracts and is authorized by the Constitution under Article 1, Section 8, Clause 1, which grants Congress its spending power.
By Mr. DEUTCH:
H.R. 1043.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.
By Mr. ELLISON:
H.R. 1044.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1, Clause 3 and Clause 18.
By Mr. GIBBS:
H.R. 1045.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution and the Second Amendment, which states: A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.
By Mr. GUTHRIE:
H.R. 1046.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. JODY B. HICE of Georgia:
H.R. 1047.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the Constitution that states that Congress shall have Power ''To regulate Commerce with foreign Nations, and among the several States . . .''
By Mr. KING of Iowa:
H.R. 1048.
Congress has the power to enact this legislation pursuant to the following:
Congress's Power to regulate Commerce with foreign Nations under Article I, Section 8, Clause 3 of the Constitution.
By Mr. LANGEVIN:
H.R. 1049.
Congress has the power to enact this legislation pursuant to the following:
Pursuant to clause 16 of section 8 of article 1 of the United States Constitution.
By Mr. LARSEN of Washington:
H.R. 1050.
Congress has the power to enact this legislation pursuant to the following:
As described in Article 1, Section 1 ''all legislative powers herdin granted shall be vested in a Congress.''
By Ms. McSALLY:
H.R. 1051.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1, ''This Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''
By Ms. MENG:
H.R. 1052.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.
By Mr. NADLER:
H.R. 1053.
Congress has the power to enact this legislation pursuant to the following:
clauses 9 and 18 of section 8 of article I and section 1 of article III of the Constitution.
By Mr. QUIGLEY:
H.R. 1054.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the U.S. Constitution
By Mr. RUSH:
H.R. 1055.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1: ''The Congress shall have power to . . . provide for the . . . general welfare of the United States . . .''; and
Article I, Section 8, Clause 18: ''To make all laws which shall be necessary and proper for carrying into execution the foregoing powers . . .''
By Mr. SCHRADER:
H.R. 1056.
Congress has the power to enact this legislation pursuant to the following:
Congress has the authority to act under Article I, §8, clause 3—the Commerce Clause.
By Mr. TIBERI:
H.R. 1057.
Congress has the power to enact this legislation pursuant to the following:
Section 8 of Article 1 of the U.S. Constitution
By Mr. WENSTRUP:
H.R. 1058.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution
By Mr. BUDD:
H.J. Res. 72.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3, granting authority to regulate commerce with foreign nations, and Article 1, Section 8, Clause 18, granting authority to make all laws that are necessary and proper for executing the foregoing powers.
By Mr. WILLIAMS:
H.J. Res. 73.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States—To regulate Commerce with foreign Naitons, and among the several States, and with the Indian Tribes

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 60: Mr. MAST.
H.R. 80: Mr. SANFORD.
H.R. 83: Mr. SANFORD.
H.R. 99: Mr. KEATING, Mr. RYAN of Ohio, Ms. MOORE, Ms. CLARKE of New York, and Mr. PERLMUTTER.
H.R. 100: Ms. MOORE.
H.R. 104: Ms. JAYAPAL.
H.R. 106: Mr. RYAN of Ohio.
H.R. 113: Mr. MEEKS, Mr. CURBELO of Florida, and Mr. ZELDIN.
H.R. 159: Ms. WASSERMAN SCHULTZ and Mr. SCHRADER.
H.R. 173: Mr. JOYCE of Ohio, Ms. ESTY, and Ms. KUSTER of New Hampshire.
H.R. 175: Mr. BROOKS of Alabama.
H.R. 241: Mr. KING of Iowa and Mr. HENSARLING.
H.R. 303: Mr. YOUNG of Alaska, Mr. BERGMAN, Mr. SEAN PATRICK MALONEY of New York, Ms. SHEA-PORTER, Mr. MEEHAN, Mrs. COMSTOCK, Mr. BYRNE, Mr. GALLEGO, and Mr. TURNER.
H.R. 305: Mr. KHANNA and Mrs. BEATTY.
H.R. 333: Mr. MCGOVERN, Mr. DAVID SCOTT of Georgia, Mr. YARMUTH, Mr. SEAN PATRICK MALONEY of New York, Mr. RYAN of Ohio, Mr. KILMER, Mr. LARSEN of Washington, Mr. DEFAZIO, Ms. PINGREE, Mr. CICILLINE, Mr. SIMPSON, Ms. DELBENE, Mr. VELA, Mr. VEASEY, Mr. GARAMENDI, Mr. HECK, Ms. MCSALLY, Mr. KIND, Mrs. DAVIS of California, Mr. WITTMAN, Ms. BORDALLO, and Mr. DEUTCH.
H.R. 350: Mr. KINZINGER, Mr. FLEISCHMANN, Mr. TROTT, Mr. ROYCE of California, Mr. BLUM, and Mr. MESSER.
H.R. 367: Mr. BARR and Mr. FERGUSON.
H.R. 371: Mr. WALZ.
H.R. 400: Mr. COLE, Mr. THOMAS J. ROONEY of Florida, Mr. MOOLENAAR, Mr. BOST, and Mr. YOUNG of Iowa.
H.R. 426: Mr. CALVERT.
H.R. 453: Mr. LOEBSACK.
H.R. 482: Mr. SMITH of Texas.
H.R. 483: Mr. DUNCAN of South Carolina.
H.R. 519: Mr. LAMBORN.
H.R. 525: Mr. KELLY of Mississippi.
H.R. 530: Ms. SPEIER.
H.R. 547: Ms. LOFGREN.
H.R. 548: Mr. PITTENGER, Mr. MULLIN, and Mrs. BLACKBURN.
H.R. 559: Mr. HENSARLING and Mr. RATCLIFFE.
H.R. 564: Mr. AMODEI, Mr. LUETKEMEYER, Mr. FRELINGHUYSEN, Mr. CRIST, and Mr. GRIFFITH.
H.R. 591: Mr. HENSARLING.
H.R. 611: Mr. SMITH of Missouri, Mr. GARRETT, Mr. BISHOP of Michigan, Mr. HENSARLING, and Mr. GIBBS.
H.R. 628: Mr. YOUNG of Iowa.
H.R. 632: Mr. THOMAS J. ROONEY of Florida.
H.R. 644: Mr. PETERSON.
H.R. 662: Mr. GIBBS.
H.R. 664: Ms. JAYAPAL and Mr. TURNER.
H.R. 669: Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JAYAPAL, and Mr. ELLISON.
H.R. 676: Mr. RASKIN and Mr. KHANNA.
H.R. 683: Mr. CAPUANO and Ms. MENG.
H.R. 696: Mrs. BUSTOS.
H.R. 720: Mr. SESSIONS.
H.R. 725: Mr. SESSIONS.
H.R. 747: Mr. FARENTHOLD, Mr. WELCH, Mr. LOEBSACK, and Mr. CHABOT.
H.R. 754: Mr. BILIRAKIS and Mr. ENGEL.
H.R. 769: Mr. RATCLIFFE.
H.R. 770: Mr. LONG, Mr. KATKO, Mrs. WALORSKI, and Mr. ZELDIN.
H.R. 771: Mr. CRIST.
H.R. 772: Mr. BARR and Mr. FERGUSON.
H.R. 781: Mr. ABRAHAM, Mr. FLORES, Mr. ADERHOLT, Mr. ALLEN, Mr. BUDD, Mr. COLE, Mr. COLLINS of Georgia, Mr. CRAMER, Mr. GOHMERT, Mr. GRIFFITH, Mr. GROTHMAN, Mr. HARRIS, Mr. HENSARLING, Mr. JORDAN, Mr. KING of Iowa, Mr. LABRADOR, Mr. LOUDERMILK, Mr. MEADOWS, Mr. PEARCE, Mr. ROTHFUS, Mr. ROUZER, Mr. AUSTIN SCOTT of Georgia, Mr. WALBERG, Mr. WEBER of Texas, Mr. WESTERMAN, and Mr. LUETKEMEYER.
H.R. 786: Ms. TSONGAS, Mr. POLIS, and Ms. ESTY.
H.R. 787: Mr. SOTO.
H.R. 790: Mr. COHEN, Mr. LOWENTHAL, Mr. DANNY K. DAVIS of Illinois, Mr. KHANNA, and Mr. YARMUTH.
H.R. 801: Mr. FOSTER.
H.R. 804: Ms. FUDGE, Mr. LOWENTHAL, Mr. AL GREEN of Texas, and Ms. KELLY of Illinois.
H.R. 807: Mr. WITTMAN, Ms. TSONGAS, Mr. LIPINSKI and Mr. DUNCAN of Tennessee.
H.R. 816: Ms. MCSALLY, Ms. LOFGREN, and Mr. CICILLINE.
H.R. 819: Mr. FERGUSON.
H.R. 821: Ms. BROWNLEY of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. DESAULNIER, Mr. NORCROSS, Mr. SCOTT of Virginia, Mr. RUPPERSBERGER, Mr. SARBANES, Mr. MCNERNEY, Mr. TONKO, Mr. LANGEVIN, and Mr. RASKIN.
H.R. 824: Mr. DUNCAN of South Carolina and Mr. BANKS of Indiana.
H.R. 833: Mr. FRANCIS ROONEY of Florida and Mr. HASTINGS.
H.R. 837: Mr. DESAULNIER, Mr. TED LIEU of California, Mr. PANETTA, Mr. THOMPSON of California, Ms. WASSERMAN SCHULTZ, Mr. AGUILAR, Mr. HUFFMAN, Mr. MOULTON, and Mr. CONYERS.
H.R. 850: Mr. LOUDERMILK.
H.R. 854: Mr. BARR.
H.R. 870: Mr. BRIDENSTINE.
H.R. 872: Mr. GRIJALVA.
H.R. 878: Mr. GRIFFITH, Mr. GAETZ, Mr. HENSARLING, and Mr. BACON.
H.R. 881: Mr. RATCLIFFE and Mr. MEEKS.
H.R. 906: Mr. SESSIONS.
H.R. 909: Mr. UPTON, Mr. LARSON of Connecticut, and Mr. ROSS.
H.R. 914: Mr. NADLER, Mr. AL GREEN of Texas, Mr. GARAMENDI, Ms. ADAMS, Ms. CLARK of Massachusetts, Ms. LEE, and Ms. SCHAKOWSKY.
H.R. 937: Mr. GOSAR.
H.R. 938: Mr. GUTHRIE.
H.R. 943: Mr. DIAZ-BALART.
H.R. 947: Ms. ESHOO, Mr. DEUTCH, Mrs. MURPHY of Florida, and Mrs. BEATTY.
H.R. 973: Mr. YARMUTH.
H.R. 980: Ms. JUDY CHU of California.
H.R. 985: Mr. SESSIONS.
H.R. 1001: Mr. MCGOVERN and Mr. KEATING.
H.R. 1004: Mr. SESSIONS and Mr. MITCHELL.
H.R. 1005: Mr. WALZ.
H.R. 1006: Mr. DEUTCH, Mr. SOTO, Ms. SCHAKOWSKY, Mr. CONNOLLY, Mr. KILDEE, and Mr. LEWIS of Georgia.
H.R. 1009: Mr. SESSIONS.
H.R. 1017: Mrs. WAGNER and Mr. COLLINS of New York.
H.R. 1022: Mr. SCOTT of Virginia and Mrs. BEATTY.
H.R. 1026: Mr. KATKO and Ms. TENNEY.
H.R. 1027: Mr. CONYERS, Ms. MOORE, and Ms. MATSUI.
H.J. Res. 27: Mrs. NOEM, Mr. TURNER, and Mr. AUSTIN SCOTT of Georgia.
H.J. Res. 33: Mr. LOBIONDO and Ms. VELÁZQUEZ.
H.J. Res. 43: Mr. TIBERI.
H.J. Res. 59: Mr. LONG and Mr. PEARCE.
H.J. Res. 65: Mr. KILDEE and Mr. SOTO.
H.J. Res. 71: Mr. PEARCE, Mr. GOSAR, Mr. CRAMER, Mr. GOHMERT, Mr. LAMBORN, Mrs. RADEWAGEN, Mr. STEWART, Mr. CHAFFETZ, Mr. BUCK, and Mr. BIGGS.
H. Con. Res. 10: Mr. REICHERT and Mr. HECK.
H. Res. 28: Mr. VALADAO, Mr. CARSON of Indiana, Ms. SCHAKOWSKY, Ms. MOORE, Mr. RYAN of Ohio, Mr. LANCE, Mr. SCOTT of Virginia, Mr. SCHIFF, Mr. DAVID SCOTT of Georgia, and Ms. SEWELL of Alabama.
H. Res. 30: Mr. SIRES, Mr. RUIZ, and Ms. BASS.
H. Res. 44: Mr. DESAULNIER, Mr. RASKIN, and Mr. KRISHNAMOORTHI.
H. Res. 68: Mr. BOST.
H. Res. 90: Mrs. LOWEY.
H. Res. 92: Mr. MARINO, Mr. FRANKS of Arizona, Mr. CONNOLLY, Ms. BORDALLO, Mrs. HARTZLER, Ms. TITUS, Mr. COFFMAN, Mr. SCHNEIDER, Mr. BROOKS of Alabama, Mr. DESANTIS, Mr. GAETZ, Mr. DESJARLAIS, Mr. BANKS of Indiana, Mr. SHUSTER, Mr. AUSTIN SCOTT of Georgia, Mr. BARR, Mr. ROKITA, Mr. GOHMERT, Mr. BYRNE, Mr. FITZPATRICK, Mr. COOK, Mr. LAMBORN, Mr. BRAT, Mr. FRANCIS ROONEY of Florida, Mrs. WALORSKI, Mr. SAM JOHNSON of Texas, Mr. OLSON, Mr. WILLIAMS, Mr. KELLY of Pennsylvania, Mr. MURPHY of Pennsylvania, Mrs. LOVE, Mrs. ROBY, Ms. STEFANIK, Mr. DUNN, Mrs. RADEWAGEN, Mr. RICE of South Carolina, Mr. ROYCE of California, Mr. ENGEL, Mr. ROSKAM, Mr. BISHOP of Utah, Mr. AMODEI, Mr. STEWART, Ms. ROS-LEHTINEN, Mr. CHABOT, Mr. KING of Iowa, Mr. BABIN, Mr. WITTMAN, Mr. BERA, Mr. CULBERSON, Mr. HUIZENGA, Mr. COLE, Mr. JOHNSON of Ohio, Mr. SENSENBRENNER, Mr. KELLY of Mississippi, Ms. HANABUSA, Ms. ROSEN, Mr. BACON, and Mr. HILL.
H. Res. 104: Mr. SOTO.
H. Res. 105: Ms. KUSTER of New Hampshire.
H. Res. 111: Mr. COHEN, Ms. SHEA-PORTER, Mr. KENNEDY, Mr. POCAN, Mr. PALLONE, Ms. CLARK of Massachusetts, Mr. CAPUANO, Mr. ESPAILLAT, Mr. BEYER, Ms. DEGETTE, Mr. GUTIÉRREZ, Mr. PERLMUTTER, Mr. QUIGLEY, Mr. MCGOVERN, Ms. ESHOO, Mr. TED LIEU of California, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE of New York, and Mr. DANNY K. DAVIS of Illinois.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

15. The SPEAKER presented a petition of the Council of the City of Salem, VA, relative to Resolution 1308, urging Senate Majority Leader Mitch McConnell, Senator Mark Warner, Senator Tim Kaine, and all United States Senators to reintroduce the Marketplace Fairness Act into the United States Senate during its 2017 session; to the Committee on the Judiciary.

16. Also, a petition of the Board of Supervisors of Roanoke County, VA, relative to Resolution 012417-1, urging Congressional action on the Marketplace Fairness Act or other legislation to collect and remit sales taxes structured on a system of collection based upon the purchaser's location; to the Committee on the Judiciary.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, TUESDAY, FEBRUARY 14, 2017 No. 26

Senate

The Senate met at 10 a.m. 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.

Accept, O Lord, our thanks and praise for all You have done for us. We thank You for the splendor of creation, for the wonder of life, and for the mystery of love. We thank You for work that demands our best efforts and for the satisfaction of a job done well.

As our lawmakers strive to please You in working to fulfill Your purposes, inspire them with Your Spirit to glorify You in their thoughts, words, and actions. Lord, endue them with courage and loyalty, whether their duties are large or small. Give them an eternal perspective on the myriad issues they face.

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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SASSE). The majority leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Mr. President, over the past several weeks, we have seen unprecedented obstruction from our colleagues across the aisle. This made the confirmation of the President's nominees the slowest in modern history. It has left several key departments without a permanent secretary at the helm for far too long. What is the point of the needless delay? What is the point? Our friends are slow-walking votes, not changing outcomes.

We took several important steps last night to move the nominations process forward. We confirmed Steve Mnuchin as Treasury Secretary. After 8 years of failing economic policy, stagnant growth, and a tough job market, it is clear we need a new direction to get our country back on track. We need a new direction on regulations—smarter and pro-growth. We need a new direction on taxes—simpler and pro-jobs. If we are going to accomplish either of those goals, we are going to need new leadership at the helm of the Treasury Department. Secretary Mnuchin has real-world understanding of the private sector, and he is ready to work with both sides to get the economy moving.

Second, we confirmed Dr. David Shulkin as Secretary of Veterans Affairs. The debt we owe our servicemembers and their families extends far beyond any program or benefit the government can provide, but through the VA, we should be doing everything we can to fulfill our commitments to veterans and their families, like the more than 300,000 veterans who call Kentucky home. Secretary Shulkin will be tasked with overseeing that our veterans in Kentucky and across the Nation receive quality and timely care. It is a heavy burden, but he seems up to the task. The chairman of the Veterans' Affairs Committee, Senator ISAKSON, has a well-deserved reputation for working tirelessly on behalf of our veterans, which makes it notable that his committee voted unanimously to recommend Dr. Shulkin to the Senate and the full Senate confirmed him unanimously too.

We haven't seen much of that lately.

I am confident that Secretary Shulkin will work with Congress to build on the progress we have already made in expanding accessibility and improving accountability at the VA.

Third, I took the necessary procedural steps last night to allow us to confirm the rest of the nominees on the calendar: Representative MICK MULVANEY, the nominee for Director of the Office of Management and Budget, who can help get our Nation back on track fiscally; Scott Pruitt, the nominee for Administrator of the Environmental Protection Agency, who can bring much needed change after 8 years of heavyhanded, job-killing regulations; Wilbur Ross, nominee for Commerce Secretary, who can help promote job creation and economic growth; Representative RYAN ZINKE, nominee for Interior Secretary, who can help improve our Nation's land use and conservation policies; Dr. Ben Carson, nominee for Secretary of Housing and Urban Development, who can help reform HUD to better serve the American people; and Governor Rick Perry, nominee for Energy Secretary, who can help guide us toward smarter energy policies to grow our economy and strengthen national security.

Beginning with Representative MULVANEY, we can get each of these nominees confirmed soon. With cooperation from across the aisle, we can put them to work for the American people even sooner.

We will be able to put another important nominee to work just this morning, one who understands how to help businesses flourish. The last 8 years have been very difficult for our economy, for workers, and for small businesses. I am confident that the President's pick to lead the Small Business Administration, Linda McMahon, will prioritize growing jobs over growing government bureaucracy. In so many States, including mine, that is a welcome change of pace from Washington. Small businesses help drive America's economy, and they help drive Kentucky's economy as well. Almost half of all the private sector jobs in Kentucky—about 700,000—come from the more than 340,000 small businesses

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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across the Commonwealth. These small businesses not only grow the economy, but they also serve important roles in our communities.

Mrs. McMahon, who has built a company from the ground up, understands the many challenges small businesses can face. She certainly has come a long way from sharing a desk with her husband and leasing a typewriter. I commend her for her willingness to serve her country, and I look forward to her confirmation later this morning.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, the Democratic leader, Senator SCHUMER, is likely to come to the floor soon, and I will certainly defer to him at a later time, but I ask unanimous consent to speak as in morning business.

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

RUSSIA

Mr. DURBIN. Mr. President, November 8, 2016, was not just election day. It was a day that will live in cyber infamy because it turns out that one of the leading enemies of the United States, the nation of Russia, was directly engaged in the Presidential campaign that resulted in the election on November 8. This is not speculation. It is a fact based on conclusions that came from 17 different intelligence agencies that confirmed this reality. This is the first time we can point to where a foreign power has tried to influence the outcome of a Presidential election in the United States. Their goal was clear: to elect Donald Trump, to defeat Hillary Clinton. They hacked into computers. They released information on a selective basis. They created fake news stories. They used WikiLeaks—everything within their cyber power to influence the outcome of the election. That was the reality.

This morning we were awakened to the headline that President Trump's head of the National Security Council, LTG Michael Flynn, has resigned. That is an incredible blockbuster of a story. And what was the reason for his resignation? It turns out that he had a direct conversation with the Russian Ambassador to the United States, Mr. Kislyak, and that conversation included references to sanctions that President Obama was imposing on Russia because of their involvement in our election. What led to his resignation, of course, was that he misled both the Vice President and the President about that conversation. When the facts came out, he was forced to resign.

This is not business as usual in Washington. What we are dealing with here is, in fact, a historic event—a powder keg in history—when it comes to the United States and its security. The obvious question is, Will this Congress of the United States, this branch of our government, respond? Will we initiate thorough investigations as to the involvement of the Russians in that election campaign and, specifically, any involvement with any Presidential campaign during that time?

Twenty years ago, when I was elected to the Senate, there was an investigation initiated by the Republicans at the suggestion—the suggestion—that the Chinese Government played some role in the Clinton-Gore campaign. The Governmental Affairs Committee of the Senate was entrusted with the responsibility to do a thorough investigation of that allegation, and Fred Thompson, the Senator from Tennessee, was the chairman of that committee, with John Glenn as the ranking Democrat.

The hearings went on for weeks—ultimately, for months—and then there was a formal report issued. No credible evidence was found of the suggestion, but it was taken that seriously by the Republican-led Congress that the Chinese may have been involved in a Democratic Presidential campaign.

How seriously is the Republican Congress taking the allegations and statements from our intelligence agencies that the Russians were involved in this last Presidential campaign?

It is time for us to have an independent, bipartisan commission beyond Congress to look into this and give us solid answers. We need to appoint people to head this commission of the stature of GEN Colin Powell and Sandra Day O'Connor, who served on the Supreme Court, who are credible people to lead this effort and this investigation and give America the truth.

A week or so ago the New York Times published the results of a recent poll that asked Americans what other nations they considered to be our closest allies and worst enemies. The results weren't surprising. Canada, the UK, and Australia topped the list of our best allies. Of America's enemies, the top nations were different, but they included North Korea, Iran, and Russia. That makes me wonder why President Trump, in the span of a week, managed to insult and hang up on the telephone call with the Prime Minister of Australia and then go on national news to once again defend Russian dictator Vladimir Putin, in light of what I just said earlier. Just a few days later, it is revealed that his National Security Advisor, General Flynn, the one who was fired by the previous administration and led chants unworthy of a great democracy about locking up a political opponent, was, in fact, speaking to a Russian official as a private citizen before President Trump took office.

Monday, we learned that former Acting Attorney General Sally Yates, whom President Trump abruptly fired, had warned the White House that General Flynn had misled senior administration officials about his communications with the Russian Ambassador and warned he was potentially vulnerable to Russian blackmail. Understand what I have just said. The man who was picked by President Trump as his top National Security Advisor misled the President and the Vice President about a telephone conversation with the Russian Ambassador and, in the opinion of our top law enforcement officials, left himself vulnerable to Russian blackmail.

In the last days of the Obama administration, then Director of National Intelligence James Clapper and CIA Director John Brennan reportedly shared Yates' concerns and concurred with the recommendation to inform the Trump White House. Now that General Flynn has resigned, leaving an already chaotic National Security Council in even greater disarray, perhaps this isn't all that surprising anymore, but it certainly should be.

This President has a troubling habit of lashing out at everyone and anyone involved in a perceived slight—dangerous and unbecoming behavior when granted the privilege to become President of this great Nation. In fact, the number and range of those attacked or insulted by Twitter is so significant I wouldn't even start to list them, but it is important to note the list includes Republicans, Democrats, labor leaders, businesses, retired generals, and others in almost every conceivable category. Actually, one looks at the list and you quickly realize the only unifying factor is not about putting America first or America's image but instead about protecting a deeply fragile ego.

Listen to this excerpt from a vast list of those who have been attacked by President Trump: President George Bush, President George W. Bush, Speaker PAUL RYAN, Florida Gov. Rick Scott, Federal judges, former Governor of New Hampshire John Sununu, the Republican establishment, NATO, Major League Baseball, Macy's Department Store, European leaders, Britain, Germany, New Jersey, the American delegate system, the ''Today'' show, ''Saturday Night Live,'' ''The View,'' Chief Justice John Roberts, Colin Powell, President of United Steelworkers Local 1999, ABC News, NBC News, FOX News, and seemingly every other media outlet.

Now that we are in the category of those who have been attacked, we can't leave Nordstrom off the list. The President even insulted the former Governor of South Carolina, then chose her to be U.N. Ambassador. In fact, there are hundreds upon hundreds on this list—a list that in a foreboding, Nixonian way keeps on growing.

So if you make any criticism or joke about President Trump, make any perceived slight, run a department store that doesn't carry his daughter's products, lead a labor union, or do just about anything, be prepared for an attack by a Trump tweet—except if you happen to be the former Communist KGB official who now leads the one nation that actually recently attacked our Nation. That would be Vladimir Putin.

How is it possible?

Russian President Putin launched a cyber attack of war on the United

States. He interfered in our election and tried to affect the outcome and pick the winner. The evidence is overwhelming. It has been available in increasing amounts over the last several months. Yet we have a President who not only denies the Russian attack but has a strange infatuation with President Putin—but is also suggesting policies that dangerously puppet those of Putin.

It is now revealed that Trump's National Security Advisor, LTG Michael Flynn, lied about discussing sanctions with the Russian Ambassador immediately after the Obama administration announced new sanctions for the attack on our election. Not only had General Flynn and the White House suddenly remembered the facts differently, but more dangerously, did Flynn's conversation undercut U.S. sanctions, especially after Russia's assault on our election? And who instructed General Flynn to have these suspiciously timed conversations with the Russian Ambassador?

It is deeply troubling to imagine what might have been insinuated in those talks, but given the blinders this President has shown in ignoring President Putin so far, I worry about a suggested or hinted trading for U.S. sanctions on Russia for little in return.

Quite simply, you don't make America great by selling out to a former Communist KGB official. You only negotiate with such a dictator from a position of strength, not denial or naivete.

So what has been the response to the cyber attack of war on America, Flynn's dalliance with the Russians, and the dangerous disarray at the Trump National Security Council from the party of Ronald Reagan, who knew the Communist mind pretty well? Near silence. The party of Ronald Reagan has spoken zero times about the Russian attack or Flynn's actions on the floor of the Senate since early October. I waited this morning for the Senate Republican leader to raise the obvious front-page story across America about the resignation of President Trump's National Security Advisor, and not a word was mentioned.

Compare this to the 36 times the Republicans have come to the floor to talk about stripping health care away from millions of Americans in the last several weeks. Even President Trump's new Attorney General, who brazenly changed his tune on Russia once having joined the Trump campaign, said he had not yet read intelligence reports on the Russian attack—a position even more stunning in light of the recent reports of Sally Yates' warnings. Yet, incredibly, his colleagues were ready to confirm him for the highest law enforcement position in the land.

I see the Democratic leader here, and I want to yield the floor to him, but I will close with this. Are we going to have a fulsome, honest, independent investigation of the Russian involvement in this election campaign? We know it happened. Seventeen of our intelligence agencies confirm it.

We also know that an investigation is underway by the Federal Bureau of Investigation about this campaign and the involvement of the Russians, and we know as well now that because of the conversations of our National Security Advisor with the Russian Ambassador, he was forced to resign in the first 4 weeks of this administration.

This calls out for a thorough investigation. The Republican Party in Congress, which spent hours and days and weeks and months in investigations involving Hillary Clinton, should at least acknowledge the gravity of this matter and bring this to a full investigation—an open and public one that can be trusted, an independent investigation—that stands up for our basic democracy and does not allow the invasion of the Russians or any other country into our democratic process.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATIONS

Mr. SCHUMER. Mr. President, I thank the Democratic whip for his remarks, and I will have much more to say on the circumstances surrounding General Flynn's resignation as National Security Advisor later today.

This morning, I rise to speak about the nominee on the floor, Representative MULVANEY, to be the Director of OMB.

Each nominee who comes before this body seems to be another indication of a Cabinet whose ideology is so far removed from the American mainstream and whose ethical conduct is more questionable than any other in our Nation's history. Representative MULVANEY is a walking demonstration of both shortcomings in this Cabinet.

First, on his views, which are way out of touch with most Americans, with average Americans. Representative MULVANEY has been a consistent ideological warrior against crucial safety net programs like Social Security and Medicare. He said it plain as day: ''We have to end Medicare as we know it. . . . Medicare as it exists today is finished.''

That is from his mouth, and President Trump appoints this man head of OMB, one of the most powerful agencies in the government. Not only has Mr. MULVANEY advocated for cutting benefits, he wants to jack up the retirement age for Medicare to 67, and for Social Security he wants to raise it to 70.

After the confirmation of Representative Price to lead HHS last week, the confirmation of Representative MULVANEY will be the launch of week 2 of the Republican war on seniors.

Let's be clear. These are fringe positions, way out of touch with how most Americans feel about these programs, and it just proves that when our Republican colleagues go back home to campaign, not one of them says: Raise the age to 70. I don't see Republican ads saying that. They say they are going to protect Medicare. Well, where are they now? You can't go home and campaign one way and then vote for MULVANEY, who wants to do the opposite and hurt our seniors—a war on seniors.

Literally, tens of millions of Americans rely on these programs and don't want to see their benefits cut. Millions more are on the cusp of retirement and know it is deeply unfair to move the goalpost on qualifying for these programs—changing the rules in the middle of the game—to hurt those who have spent their whole lives working and are now looking forward to receiving Social Security and Medicare. That is not what most Americans voted for, whether they pulled the lever for Secretary Clinton or Mr. Trump.

Candidate Trump promised that he was ''not going to cut Social Security like every other Republican and I'm not going to cut Medicare or Medicaid,'' but then he turns around and nominates a man to OMB who has relentlessly argued the opposite. He nominates a Secretary of Health and Human Services who has also argued that, with all of our Republican colleagues voting for him—none of us. So if people think Donald Trump is going to be a defender—I saw the AARP ads—I would like those ads to mention the nominations of MULVANEY and Price. If people think Donald Trump is going to be a defender of Social Security and Medicare, these nominees seem to indicate a far different approach.

Candidate Trump didn't run as a far-right conservative. He ran as a populist against both establishments, but both Representative MULVANEY and Representative Price were plucked out of the very conservative wing of a very conservative House caucus and will be placed in charge of the budget and every American's healthcare—where they can effectively wage the war on seniors they have been plotting throughout their careers.

Unfortunately, both the OMB Director and the Secretary of HHS have hundreds of ways that don't go through the Congress of undercutting Medicare and Social Security, Medicare and Medicaid in particular. They can undercut them in a whole variety of different ways. Given their ideology and given their careers, that is just what they will do.

So the nominations of these two men are exhibits A and B that President Trump plans to run his administration from the hard right, rather than follow through on his populist rhetoric that defined his campaign, and frankly is what elected him. If he had run on the campaign views of these two nominees, he might have gotten 100 electoral votes. He might have gotten 100 electoral votes.

Second, on ethics. Again, this Cabinet is not only challenged on their views so far away from what the average American believes, but it is the most unethical Cabinet I have ever seen nominated, at least in my lifetime.

Representative MULVANEY is unfortunately an example of a Cabinet member that is too far compromised by potential conflicts of interest and other ethics challenges. It has been disclosed that Representative MULVANEY neglected to pay $15,000 in taxes on a household employee. A similar revelation sunk the nomination of a former Member and leader of this body, Senator Tom Daschle. Senator Daschle was relentlessly attacked by the Republican side on this issue. He withdrew his nomination. Representative MULVANEY hasn't withdrawn his nomination, and we haven't heard a peep out of the Republican side on the same—very similar—transgression that was disqualifying, at least to our Republicans, for Senator Daschle, nor has the nominee for Secretary of Labor withdrawn his nomination. He has a similar situation.

The fact that the Republican majority is proceeding on both of their nominations is a dangerous abandonment of public ethics.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Linda E. McMahon, of Connecticut, to be Administrator of the Small Business Administration.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided in the usual form.

The minority whip.

NICS

Mr. DURBIN. Mr. President, later today we are going to consider an effort under the Congressional Review Act to change America's background check system when it comes to the purchase of firearms.

For months, I have been listening to President Trump and the Republicans talk about gun violence in the city of Chicago. It is a heartbreaking reality. More than 4,300 people were shot in Chicago last year and over 400 so far this year. It is not just Chicago. The American Medical Association has declared that gun violence is a public health crisis in our Nation.

So what is Congress doing to save lives in Chicago and across the Nation from gun violence? What is the Senate doing to protect people from being shot? Nothing.

Instead, the Republican Congress is trying to weaken one of the gun laws on the books—the NICS Improvement Amendments Act. This is the law passed unanimously by Congress after the Virginia Tech massacre and signed into law in 2008 by President George W. Bush.

This law says that every Federal agency needs to let the FBI NICS background check system know when the agency has information about people who fall within the legal prohibitions on gun possession. Everyone agreed we needed to get these records into the NICS system, especially records about those who are seriously mentally unstable, such as the Virginia Tech shooter. That man had a history of mental illness, but he was able to buy guns and kill 32 people because his records were not in the background check system known as NICS.

There is a longstanding Federal prohibition on gun possession by those who are suffering from mental illness. This prohibition is so well established that the late Justice Antonin Scalia cited it in the Supreme Court's Heller decision as an example of a restriction that is presumptively lawful and consistent with the Second Amendment.

There have been tragic cases where people with serious mental illnesses have used guns to cause great harm. The Newtown, CT, shooter showed signs of severe mental health problems that went untreated before he killed 20 students and 6 educators at Sandy Hook Elementary School. The Tucson, AZ, shooter, who shot Congresswoman Gabby Giffords and killed six others, was diagnosed after the shooting with schizophrenia. And it was 9 years ago today when a gunman who had been diagnosed and treated for mental illness killed 5 people and injured 17 in a classroom building at Northern Illinois University in DeKalb.

About two-thirds of shooting deaths each year are suicides. Last year, there were more than 21,000 suicides by gun. The National Alliance on Mental Illness reports that "about 90% of individuals who die by suicide experience mental illness."

Mental illness is a challenging issue for our society. I have worked to expand treatment and coverage for mental illness, including through the Affordable Care Act, one of the most important single laws we have ever passed to address mental illness. I wish those who are trying to repeal this commonsense gun safety regulation would drop that effort and join us in stopping this repeal of the Affordable Care Act. We need more and better services for people with mental illness.

The reality is that the gun laws on the books are narrowly drawn when it comes to mental illness and so is the rule we are being asked to repeal today. Current Federal law says that a person who has been "adjudicated as a mental defective" is prohibited from gun possession. The phrase "adjudicated as a mental defective" is defined in the law as a determination by "a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease: (1) is a danger to himself or others; or (2) lacks the mental capacity to contract or manage his own affairs."

The 2008 NICS Improvement law, signed into law by President George W. Bush, directed Federal agencies to send their relevant records to the NICS system. Last year, the Social Security Administration issued a rule to implement this law after concluding that certain determinations by the Social Security Administration qualify as an adjudication of mental defectiveness.

Let me explain what the SSA rule says. Under this rule, starting in December of this year, the Social Security Administration will begin sending to NICS—the body which gathers information and records for background checks before the possession of firearms—the name, date of birth, and Social Security number of people who meet each of the five threshold criteria. The person must be between the ages of 18 and 65, have filed a claim with SSA for benefits based on disability, have been diagnosed with a serious, long-term mental disorder, have been determined by SSA to be disabled and unable to perform substantial work because of the mental disorder, and have been subject to determination by the Social Security Administration that the mental disorder is so serious that the person needs to have a representative appointed to manage the person's benefits.

This is not a situation where the Social Security Administration would notify NICS just because a person can't balance his checkbook. There must be a seriously debilitating, medically diagnosed mental illness involved.

The rule is prospective only. Current Social Security disability beneficiaries are not subject to it. The rule is predicted to cover about 75,000 Americans, once it takes effect, out of the estimated 10 million suffering from a serious mental illness.

I might add here for the record, I do not suggest that every person who has any form of mental illness is a danger. In fact, exactly the opposite is true. But we do know that those who suffer from serious mental conditions many times are engaged in violent conduct and many times with horrible results when they have firearms.

The rule we are being asked to repeal on the floor of the Senate provides for advance notice of the Social Security Administration determination and the right to appeal through an administrative process and in court. A person can

obtain relief from the firearms prohibition by having healthcare providers and character witnesses submit statements that the person is not a danger to himself or others.

Every politician claims they want to keep deadly firearms out of the hands of those who are seriously mentally unstable. A statement made by a Republican Senator from Texas, Senator CORNYN, the senior Senator from Texas and my counterpart on the Republican side; he said in March 2013:

> If there was a common thread in the Virginia Tech, Tucson, Aurora, and Newtown massacres, it was the mental illness of the shooter. . . . We should refocus our effort to make sure the current background check system works to screen out the dangerously mentally-ill.

Reasonable people can disagree over whether the SSA's rule gets it exactly right. There are mental health groups that have concerns about it, and I respect that. But using the Congressional Review Act is a blunt tool. Instead of fixing the rule, the Congressional Review Act would repeal the rule and—listen to this—permanently bar the Social Security Administration from adopting any substantially similar rule. So it likely would bar the Social Security Administration from ever implementing a rule to submit mental health records to NICS in the future.

If there are problems with this rule, they can be addressed by fixing it. But the Republican response is always repeal first. This time, they want to repeal a rule that doesn't start until December and its repeal would preclude the Social Security Administration from even fixing or positively changing it.

We also had disputes over the process the Department of Veterans Affairs used to submit names of people with mental illness to the same NICS background check system. Last December, we fixed it on a bipartisan basis. We passed language in the 21st Century Cures Act to ensure that a person can have his own doctor and lawyer involved in the process. If the Social Security Administration rule needs fixing, we can fix it too. But this Congressional Review Act is a sledgehammer, not a tool to fix it.

We are being asked to vote today to ban an agency permanently from complying with the NICS law that we enacted in 2008. We are being asked to undermine the gun laws that are on the books.

I urge my colleagues to listen to the opposition of this resolution of disapproval. Read the letter from the U.S. Conference of Mayors, who say that the Social Security Administration rule ''is critically important to the fabric of our nation's background check system.'' Read the editorials in newspapers across the country that oppose repealing this rule.

Mr. President, I ask unanimous consent that the editorial from the Chicago Tribune be printed in the RECORD.

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

[From the Chicago Tribune, Feb. 10, 2017]

EDITORIAL: GUNS AND MENTAL ILLNESS: DON'T SCRAP THIS RULE

(By Editorial Board)

If someone has a mental illness severe enough that he cannot work or manage his own money, should he be allowed to own a gun?

In the waning weeks of his presidency, Barack Obama answered that question. Motivated by Adam Lanza's bloody rampage at an elementary school in Newtown, Conn., that killed 20 children and six educators in 2012, Obama imposed a rule that barred gun ownership for people who qualify for Social Security disability insurance because their mental illness keeps them from working, and who cannot manage their benefits. That pool is small—just 75,000 Americans.

The GOP-led U.S. House just voted to scrap that rule. Bad move. The Senate now decides whether to back that bad move. If it does, President Trump would decide whether to go along or disagree.

Republican lawmakers hang their case on the argument that the rule stigmatizes people with disabilities as dangerous. ''There are people who need help and seek help, but that is not a criteria for taking away one's constitutional right'' to own a gun, Texas Rep. Pete Sessions said.

Sessions implicitly exaggerates the impact of the rule. As gun control measures go, the scope of this one is narrow. Its goal is to keep guns out of the hands of people on record as having a disabling mental disorder. The standard for taking that gun away is steep—they have to be on Social Security because their psychiatric disorder keeps them from working, and they cannot manage their own affairs. Both conditions must be met. Even if the rule keeps someone from owning a gun, that person can pursue an appeal.

America has seen what can happen when someone with severe psychiatric issues has access to firearms. Their names and crimes live in infamy:

In 2007, Seung Hui Cho shot to death 32 people at Virginia Tech University before killing himself. Two years earlier, a judge had deemed Cho an ''imminent danger'' because of mental illness and ordered him to seek treatment. But because he was never committed, that assessment never got recorded in the federal database of people ineligible to buy guns. Cho passed the background check and bought the guns he would wield at Virginia Tech.

In 2011, Jared Loughner shot U.S. Rep. Gabrielle Giffords in the head and murdered six other people in Tucson, Ark.

In 2012, James Holmes strode into a packed movie theater in Aurora, Colo., and opened fire, killing 12 people.

And there's Lanza, who went through months of hysterical crying, stretches of lethargy and self-imposed isolation from his family before unleashing terror at Sandy Hook Elementary School. ''I didn't understand that Adam was drifting away,'' his father, Peter Lanza, told The New Yorker in 2014.

These crimes showcase the dangers in allowing severely troubled individuals to buy firearms. The rule the House voted to scrap doesn't cast so wide a net that it applies to anyone seeking psychiatric treatment. It's specific in scope, and anchored by a common-sense premise that many House Republicans ignored: If a person's psychiatric disorder is disabling enough that the individual cannot work or deal with money-managing, bright red flags are being raised about his or her capacity for sound judgment.

To us, that's a logical, well-grounded reason why he or she shouldn't own a gun.

Mr. DURBIN. We can also read editorials in the St. Louis Post-Dispatch, the Charlotte Observer, the New York Times, and more.

Now listen specifically to the pleas of gunshot victims and their family members. Listen to Patrick Korellis, of Chicago, whom I have met. He was shot in a classroom 9 years ago at Northern Illinois University by a man who had a serious mental illness. He wrote to me and he said:

> I was shot in my classroom by someone who was mentally ill, and was able to obtain guns and a lot of ammunition because the background checks weren't strong enough. Rolling back some of these background checks doesn't make any sense, and will allow more people to get through the loopholes.

Now listen to Janet Delana of Wellington, MO. She wrote to Congress:

> My daughter Colby, a diagnosed paranoid schizophrenic who lived at home with her father and I, received monthly Social Security disability payments for her mental illness. In 2012 she used the money from her disability check to buy a gun at a local gun dealer. Because she was ill and suicidal, I had contacted the gun dealer and begged him not to sell her a gun. However, my pleas were ignored and the dealer sold her a gun anyway because Colby passed the background check. An hour later, she shot her father to death and tried once again to take her own life. She is now in an institution for life, and my husband is gone.

Janet said:

> This SSA Rule is vital. I am very concerned this resolution would preclude SSA and possibly even other agencies from enacting any future regulations on this or related matters.

We have a public health crisis when it comes to gun violence—in Chicago and in communities across the Nation. We have a responsibility to do what we can on the Federal level to reduce the violence and protect our citizens from getting shot. Voting for this resolution of disapproval today would be a step backward. It would weaken the gun laws on the books and make it easier for severely mentally ill people to get guns. On this, the ninth anniversary of the shooting at Northern Illinois University in DeKalb, it is unthinkable that we are going to try to revoke a rule that would keep guns out of the hands of those who should have no business owning them.

Let me conclude with a statement from Bloomberg business magazine, published in an edition several weeks ago:

> Advocates for the mentally ill caution that mental illness shouldn't be equated with a penchant for violence. They're right. But America's tragic experience with mentally ill gunmen—from shootings at Virginia Tech in 2007 to Newtown, Connecticut, in 2012—shows the folly of simply dismissing the danger.
>
> In recent years Republicans have prioritized instant gratification for anyone who desires to buy a gun. Last year the National Rifle Association spent $50 million on the campaigns of Donald Trump and six Republican senators. NRA leader Wayne LaPierre, who met with Trump this week, wants payback.
>
> The Obama rule established a process for identifying only Social Security beneficiaries who would be prohibited from possessing guns under existing law. It required

that beneficiaries be notified of the prohibition, and it provided means to appeal the determination before an administrative law judge or a federal court.

Such provisions would safeguard individual rights. But they offend the fundamental principle that drives the NRA, and thus Republican, gun politics: Anyone should be able to get a gun at any time for any reason and bring that weapon, loaded, anywhere.

Common sense dictates that we be careful to keep guns out of the hands of those who would misuse them. I sincerely hope that gun owners across my State and across the Nation—and I respect them and their constitutional right—will understand that reasonable limitations on the possession and ownership of firearms is in the best interest of protecting their Second Amendment rights as well.

I yield the floor.

Mr. CARDIN. Mr. President, I would like to express my support for the nomination of Linda McMahon to the position of Administrator of the U.S. Small Business Administration.

Linda McMahon is an interesting candidate for this position. As the cofounder and former CEO of the WWE, she built a small regional business into an entertainment behemoth. Along the way she struggled to meet payroll, market the business, learn State and Federal regulatory regimes, manage a traveling workforce, learn new media platforms, and navigate new revenue streams.

Each of these accomplishments is impressive. But what makes Linda McMahon unique for this role is the fact that, on her path to success, she made serious enough mistakes that she was forced to declare personal bankruptcy and apply for government assistance. I think having an Administrator who has started her own small business and met and overcame significant challenges along her way is of tremendous value. Having been in the trenches herself, she will really be able to evaluate the efficacy of current small business programs, and she may very well be able to suggest substantive improvements or even new directions.

I was also particularly impressed with Mrs. McMahon's performance during her confirmation hearing. When she knew the answer to a question posed by a Senator, she answered it. When she didn't know the answer, she said so. She appeared to have an open mind about issues and struck me as sincerely interested in working on all issues with all of the Senators, regardless of political or geographical affiliations.

Linda McMahon has expressed her interest in helping small businesses thrive. She understands how difficult it can be for entrepreneurs to access capital. She knows that small businesses have a hard time competing for Federal contracts. She knows that small business owners sometimes need advice and guidance—and she believes in the value of training and support programs.

I support Linda McMahon's nomination because, not only is she interested in having the job of Administrator, she appears to have genuine interest in doing the job. She clearly enjoys using her business skills and experience to mentor entrepreneurs, and I believe that she will apply her tenacity to protecting and hopefully improving Federal support systems for America's entrepreneurs.

Mr. VAN HOLLEN. Mr. President, Congress created the Small Business Administration in 1953 to ''aid, counsel, assist and protect, insofar as is possible, the interests of small business concerns.'' The SBA now provides financial assistance, help with Federal contract procurement, and management assistance. The agency makes specialized outreach to women, minorities, and veterans. SBA also provides loans to victims of natural disasters and specialized advice and assistance in international trade.

The President has nominated Linda McMahon to run the SBA. Mrs. McMahon and her husband founded Titan Sports in 1980. The business grew dramatically under their leadership. Mrs. McMahon became president in 1993 and CEO of the company in 1997. The company became World Wrestling Entertainment and then simply WWE.

Unfortunately, the McMahons appear to have grown their business at least in part using business practices that disadvantaged their employees. The Connecticut Post and the Hartford Courant reported that WWE did not offer its wrestlers health insurance, as McMahon argued the company's wrestlers were independent contractors. And the Connecticut Post reported that Connecticut audited McMahon's company to determine if WWE improperly classified employees as independent contractors.

An investigation led by Representative Henry Waxman found that McMahon's WWE did not do enough to prevent steroid use. Representative Waxman's committee found that, at one point, 40 percent of WWE's wrestlers tested positive for steroids and other drugs, even after being warned in advance that they were going to be tested. A WWE ''house doctor'' was reportedly convicted and sentenced to prison for steroid trafficking. And the New York Daily News reported that an Albany district attorney probe into a widespread Internet doping scandal involved several WWE wrestlers.

And more than 50 former professional wrestlers sued McMahon's WWE, charging that the company was responsible for repeated head trauma that they suffered, often involving specific moves scripted and choreographed by WWE.

The SBA needs strong leadership to advance the interests of our Nation's hard-working small businesses, but it does not need a leader who will advance profits at workers' expense. Mrs. McMahon's business experience leads me to be concerned that she will not put people over profits, and thus, I must oppose the nomination.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to speak on the Republican time for up to 10 minutes, with 5 minutes reserved for Senator RISCH, on the nomination of Linda McMahon to serve as Administrator of the Small Business Administration.

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

Mrs. SHAHEEN. Mr. President, today, in just a few minutes, the Senate will be voting on the nomination of Linda McMahon to serve as Administrator of, I believe, one of the very important agencies within the Federal Government that sometimes doesn't get the recognition it deserves; that is, the Small Business Administration.

Before I begin my remarks, I wish to take a minute to acknowledge the good work of two previous SBA Administrators, Karen Mills and Maria Contreras-Sweet. Both served in this very important role during the Obama administration and, particularly during the financial crisis, really served as a lifeline for so many of our small businesses. So I thank these two leaders for their tireless work.

When I was first elected to the Senate in 2008, one of the reasons I joined the Small Business Committee was its reputation as a place where you could work across the aisle to get things done in a bipartisan way because supporting small businesses is not a Republican or a Democratic issue; it is an American issue.

That dynamic was on display at Mrs. McMahon's confirmation hearing, where not one but two of her former rivals introduced her. Senators BLUMENTHAL and MURPHY, both of whom ran very spirited campaigns against Ms. McMahon—and both of whom defeated her—actually testified to her passion for small business and her qualifications for this new responsibility. After the hearing, the Small Business Committee favorably reported her nomination to the Senate by a vote of 18 to 1. I thank my colleague Chairman RISCH for working with me during this process and ensuring that the nomination was thoroughly vetted.

While I have opposed a number of President Trump's nominees, I want to take a few minutes to explain why I will support Linda McMahon for this important position.

My home State of New Hampshire is a small business State. More than 96 percent of our employers are considered small businesses, according to the SBA's Office of Advocacy.

But small businesses aren't just important in New Hampshire. They are really the engine that drives our national economy. Small businesses create two out of every three new jobs in the United States. They are also leaders when it comes to innovation, producing 14 times more patents than large businesses.

Unfortunately, like so many of our larger businesses, many of our small businesses still have not fully recovered from the great recession. For our

economy to continue to improve, we need to level the playing field for small businesses and unleash their potential. That is why the SBA and its programs are so critical. Last year alone, the SBA backed more than 70,000 loans to small businesses, supporting $29 billion in lending and nearly 700,000 jobs. The SBA also helped small businesses win more than $90 billion in Federal contracts, provided counseling to more than 1 million entrepreneurs, and helped many small businesses reach foreign markets.

I was in the New Hampshire State Senate in the early nineties when we experienced a recession that closed five of the State's seven largest banks and put so many of our small businesses into bankruptcy. The one Federal agency that helped keep our small businesses going in New Hampshire during those very dark years was the SBA. I have seen very directly what a difference SBA makes to businesses in New Hampshire and across this country.

As part of the confirmation process, I was able to work with my colleagues on the Small Business Committee to look into Mrs. McMahon's background as a successful entrepreneur, as well as her vision for the SBA. I was pleased to learn that Mrs. McMahon shares my vision for a strong SBA that will support America's entrepreneurs. I was particularly pleased to learn, unlike some previous reports, that she opposes efforts to merge the SBA into another agency, so she does not believe it should be part of the Department of Commerce. Maintaining the SBA's independence and keeping the Administrator of the SBA as a Cabinet-level position is essential to ensuring that the voices of small businesses are heard in Washington.

We also need to make sure the SBA programs are valued in this administration. We have seen what can happen when SBA does not receive the respect it deserves from the White House. The George W. Bush administration cut the SBA's budget dramatically, by 32 percent—more than any other agency during those years. We can't afford to repeat that mistake. Entrepreneurs across this country, from rural communities to inner cities, rely on the SBA and its programs.

I could cite countless success stories, but let me just note one example I recently heard in New Hampshire from Julie Lapham, who is founder and chief sales officer of a startup in Dover, NH, called Popzup.

Popzup is a family-owned business that provides a new popcorn product for health-conscious consumers. Julie's inspiration for her business was her mother, who is diabetic and had started to eat popcorn every day because of the food's low glycemic index. Julie wanted to give her mother more options than the microwave popcorn you see in the grocery store, so she created a convenient product that doesn't use chemicals, plastic, or silicone. Her company's popcorn is environmentally friendly and sourced from American farms that don't use GMO products.

As a startup, Julie faces a lot of challenges: getting funding to expand her business, keeping the books, figuring out how to market her products. Large companies have the resources to figure these things out, but Julie needs a level playing field to compete, and that is where the SBA and its resource partners come in.

Julie wrote:

> We often feel vulnerable because we are self-funded and need to master all aspects of running our business; marketing, manufacture, selling, and accounting.

Julie has been working with advisers at the New Hampshire Small Business Development Center, SBDC. They operate in every State, and they are resource partners who provided counseling to Julie and also provide counseling to small businesses like Julie's across the country.

> I don't think there is a week that goes by when we are not stopping by each other's offices, emailing, and talking on the phone. I can honestly state that we would not have a chance at success without their ongoing support and encouragement.

I am sure my colleagues in the Senate are aware of similar SBA success stories in their own States.

We all know this agency plays a vital role in our economy, but there is more that can be done. For our economy to thrive, we need to focus on ways to further strengthen the SBA so that it can increase opportunities for entrepreneurs to start new ventures and help existing small businesses grow. That is especially important in largely rural States like New Hampshire where it can be harder to get a loan or counseling. Entrepreneurs like Julie need a strong Administrator who understands the value of programs like the Small Business Development Centers. They need someone who will be their voice in Washington and bring out the best in the SBA. During the confirmation process, Mrs. McMahon pledged that she shares this view and wants to strengthen the role SBA plays in assisting our Nation's small businesses. In fact, she said she was passionate about small business.

For these reasons, I intend to support her confirmation today. I look forward to continuing to work with Chairman RISCH as we support SBA in the coming years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, first of all, let me say thank you to my friend and colleague, the ranking member of the Committee on Small Business and Entrepreneurship. We have worked together successfully on several projects, and I have no doubt that we will continue to work together to benefit small businesses and entrepreneurship here in America.

I rise today to support the nomination by President Trump of Linda McMahon to head the Small Business Administration. Linda McMahon has strong bipartisan support, which is rare here in Washington, DC, these days. At the confirmation hearing, Mrs. McMahon was introduced by, endorsed by, and spoken well of by her two Connecticut Senators, Senator BLUMENTHAL and Senator MURPHY. Perhaps for the first time in history, we had a member of the opposite party supported by the two Senators from that State, from the other party. But most importantly, she had run against both of those people, so they had been adversaries previously, but they appeared before the committee to enthusiastically endorse her as the head of the SBA and as President Trump's appointee.

Senator BLUMENTHAL said: ''She is an excellent fit for this agency based on her experience and her expertise as a business leader.

Senator MURPHY stated: ''I will never question whether she has the experience and the determination necessary to lead this great agency.''

These are strong endorsements by people of the other party for a person who has been nominated by President Trump.

This is an important agency. It is not a particularly large agency, but it certainly services one of the, if not the most important sector of our economy.

It is important to note that these two colleagues of ours came and supported Mrs. McMahon before the committee.

Those people who have been watching what is going on in this city since the election, particularly in regard to the appointment by President Trump of his Cabinet, as he has attempted to fill his Cabinet and seen the obstructionism that has taken place as he tries to fill that Cabinet, know that this city has become a caldron of anger, bitterness, and acrimony since the States came together and selected Donald Trump to be the President of these United States. So it is good for a bipartisan effort on one of these Cabinet members, and Linda McMahon is that person.

Linda McMahon is not a bureaucrat. She is about as far from that as you possibly can get. In 1982 she and her husband took over a small business and turned it into a family business and have operated it since 1982. Of particular importance was her description of how she and her husband got there and their struggles as they started with a small business that actually failed. I think her description of that and her feelings about that and how she and her family struggled with that built the character they needed to start the business they did in 1982. They took that business from 1982 from a small company, very few employees and family only, to what is now a publicly traded company with a global brand.

Mrs. McMahon has the experience in the small business world, from her struggles at the beginning and her

great success as she worked through making this business succeed, to actually understand what small businesses go through.

In meeting with her and discussing with her the importance of what we do on the Small Business Committee, I can tell you that she shares the passion that I have about what we can do with the Committee on Small Business and Entrepreneurship and, indeed, all committees in the U.S. Senate; that is, get the government out of the way while Americans attempt to build a business. She shares the passion that I have with reducing to a bare minimum the regulatory structure that has grown up in America today and is really stifling businesses at all levels but particularly businesses at the small end of the scale.

We all know that when the government enacts a regulation, which happens all too frequently—hourly, every day, several every day—and they are laid down in front of businesses, a large business really has substantially less difficulty dealing with those.

Large businesses will tell you that is the largest challenge they have today, the most significant challenge they have; that is, overcoming the barriers that are put in place by the government as they attempt to succeed and as they attempt to do business. When a regulation is laid down, a large business has an army and a fleet of lawyers and compliance officers and accountants who can work through these regulations. If you are a small business and you are fixing lawn mowers in your garage and you get a 30-page questionnaire from the government that has significant implications for what is going to happen to you, it is very burdensome and cuts deeply into the progress you are trying to make as a small business and provide for your family.

We have an operation within the Small Business Administration called the Office of Advocacy. The committee has attempted to grow and strengthen its independence. The purpose of the Office of Advocacy is to stand up whenever the government acts in a way that affects small businesses and say: Wait. Stop. Think about this. Look what you are doing and look how this is going to affect business—and particularly small business—in America, the regulations you are attempting to impose.

Linda McMahon shares my passion in that regard. I have every reason to believe she is going to assist in strengthening that particular division within the Small Business Administration.

Based upon her qualifications, based upon her view of small business and entrepreneurship, based upon her experience in small business and in growing small business, and based upon what I think perhaps is going to be one of the only bipartisan efforts we make to construct the Cabinet or assist the President in constructing his Cabinet, I strongly recommend and join my colleague the ranking member in urging all Members of the Senate to support Linda McMahon in this effort and in her confirmation.

With that, Mr. President, I yield the floor.

I yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the McMahon nomination?

Mr. RISCH. 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.

The result was announced—yeas 81, nays 19, as follows:

[Rollcall Vote No. 65 Ex.]

YEAS—81

Alexander	Feinstein	Menendez
Barrasso	Fischer	Moran
Bennet	Flake	Murkowski
Blumenthal	Franken	Murphy
Blunt	Gardner	Nelson
Boozman	Graham	Paul
Burr	Grassley	Perdue
Cantwell	Hassan	Peters
Capito	Hatch	Portman
Cardin	Heitkamp	Risch
Carper	Heller	Roberts
Casey	Hirono	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Coons	Johnson	Shaheen
Corker	Kaine	Shelby
Cornyn	Kennedy	Stabenow
Cortez Masto	King	Strange
Cotton	Klobuchar	Sullivan
Crapo	Lankford	Tester
Cruz	Leahy	Thune
Daines	Lee	Tillis
Donnelly	Manchin	Toomey
Duckworth	McCain	Warner
Enzi	McCaskill	Wicker
Ernst	McConnell	Young

NAYS—19

Baldwin	Markey	Udall
Booker	Merkley	Van Hollen
Brown	Murray	Warren
Durbin	Reed	Whitehouse
Gillibrand	Sanders	Wyden
Harris	Schatz	
Heinrich	Schumer	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. FLAKE). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SOCIAL SECURITY ADMINISTRATION—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 40.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to H.J. Res. 40, 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.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SOCIAL SECURITY ADMINISTRATION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A 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.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today I come to the floor to address my colleagues about the bipartisan resolution of disapproval that I introduced on January 30, along with Senator CRAPO and 24 other cosponsors. This resolution now has 32 cosponsors, and of course this resolution of disapproval is absolutely necessary.

The resolution of disapproval is a procedure, as we know, under the Congressional Review Act for repealing executive branch regulations. The regulation at issue here in this disapproval resolution was issued by the Social Security Administration under President Obama. This regulation unfairly stigmatizes people with disabilities. If the regulation is not repealed, it will allow the agency to very unfairly deprive Social Security recipients of their Second Amendment rights. The regulation would result in disability recipients being reported to the National Instant Criminal Background Check System as ineligible to own a firearm and, thus, have their Second Amendment rights violated.

This is essentially a national gun ban list. The agency accomplishes this by doing two things: determining if a person has a disorder on a vague ''mental disorders'' list, and, two, appointing a representative payee to manage benefit payments.

This process has been in place for years to merely assign a representative payee. That is merely someone who is authorized to deal with the bureaucracy on behalf of that Social Security recipient to help a recipient with their finances. Now it is being used to report beneficiaries to a list so that they cannot buy or own a gun. Of course, once on that list, individuals are prohibited, as I have already inferred, from purchasing, owning, and possessing firearms, thus violating Second Amendment rights.

The regulation is flawed beyond any kind of repair. It results in reporting

people to the gun ban list that should not be on that list at all. It deprives those people of their constitutional rights and, in a very important way, violates their constitutional rights without even due process.

Under current Federal law, one must first be deemed ''mentally defective'' before being reported to the gun ban list. However, the mental disorder list in this regulation is filled with vague characteristics that do not fit into the Federal ''mentally defective'' standard.

The disorder list is inconsistent with the Federal mentally defective standard. More importantly, the list was never designed to regulate firearms. As such, it is improper to use it for that purpose.

Many of the disorders on the list are unrelated to gun safety. For example, the disorders list includes eating disorders, disorders that merely impact sleep or cause restlessness, and even disorders that could cause ''feelings of inadequacy.''

Because the Second Amendment is a fundamental right, the government must have a very compelling reason to regulate, and the regulation must be very narrowly tailored. It unfairly stigmatizes people with disabilities. The government is essentially saying that a person with a disability, such as an eating disorder, is more likely to be violent and should no longer be allowed to own a gun.

There is no evidence to support that general idea and, consequently, people being denied constitutional rights without due process. And if a specific individual is likely to be violent due to the nature of their mental illness, then the government should have to prove it. It is pretty basic constitutional law: The government should have to carry the burden before denying a constitutional right.

The National Council on Disability—and that happens to be a nonpartisan and independent Federal agency—has said this:

> The rule stigmatizes a group of people who are not likely to perpetuate the kind of violence the rule hopes to address. Furthermore, it deprives a much broader class of individuals of a constitutional right than was intended by Federal law.

In addition, the American Civil Liberties Union has said:

> We oppose this rule because it advances and reinforces the harmful stereotype that people with mental disabilities, a vast and diverse group of citizens, are violent. There is no data to support a connection between the need for a representative payee . . . and a propensity toward gun violence.

That was a quote from the American Civil Liberties Union.

The Consortium for Citizens with Disabilities—and that is a coalition of 100 national disability groups—shares the same concerns about regulations, and I will quote from them:

> The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions.

In other words, those unfounded assumptions are about who might be disabled or not.

I ask unanimous consent to have these letters printed in the RECORD.

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

NATIONAL COUNCIL ON DISABILITY,
Washington, DC, January 24, 2017.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate, Washington, DC.

Hon. PAUL RYAN,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND SPEAKER RYAN: I write on behalf of the National Council on Disability (NCD) regarding the final rule the Social Security Administration (SSA) released on December 19th, 2016, implementing provisions of the National Instant Criminal Background Check System (NICS) Improvement Amendments Act of 2007, 81 FR 91702. In accordance with our mandate to advise the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities, NCD submitted comments to SSA on the proposed rule on June 30th, 2016. In our comments, we cautioned against implementation of the proposed rule because:

> ''[t]here 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[.]''

Despite our objections and that of many other individuals and organizations received by SSA regarding the proposed rule, the final rule released in late December was largely unchanged. Because of the importance of the constitutional right at stake and the very real stigma that this rule legitimizes, NCD recommends that Congress consider utilizing the Congressional Review Act (CRA) to repeal this rule.

NCD is a nonpartisan, independent federal agency with no stated position with respect to gun-ownership or gun-control other than our long-held position that restrictions on gun possession or ownership based on psychiatric or intellectual disability must be based on a verifiable concern as to whether the individual poses a heightened risk of danger to themselves or others if they are in possession of a weapon. Additionally, it is critically important that any restriction on gun possession or ownership on this basis is imposed only after the individual has been afforded due process and given an opportunity to respond to allegations that they are not able to safely possess or own a firearm due to his or her disability. NCD believes that SSA's final rule falls far short of meeting these criteria.

Additionally, as NCD also cautioned SSA in our comments on the proposed rule, we have concerns regarding the ability of SSA to fairly and effectively implement this rule—assuming it would be possible to do so—given the long-standing issues SSA already has regarding long delays in adjudication and difficulty in providing consistent, prompt service to beneficiaries with respect to its core mission. This rule creates an entirely new function for an agency that has long noted that it has not been given sufficient resources to do the important work it is already charged with doing. With all due respect to SSA, our federal partner, this rule is simply a bridge too far. In fact, it is conceivable that attempts to implement this rule may strain the already scarce administrative resources available to the agency, further impairing its ability to carry out its core mission.

The CRA is a powerful mechanism for controlling regulatory overreach, and NCD urges its use advisedly and cautiously. In this particular case, the potential for real harm to the constitutional rights of people with psychiatric and intellectual disabilities is grave as is the potential to undermine the essential mission of an agency that millions of people with and without disabilities rely upon to meet their basic needs. Therefore, in this instance, NCD feels that utilizing the CRA to repeal the final rule is not only warranted, but necessary.

Regards,

CLYDE E. TERRY,
Chair.

AMERICAN CIVIL LIBERTIES UNION,
February 9, 2017.

Vote YES on the Resolution of Disapproval, S.J. Res. 14 (Social Security Administration NICS Final Rule).

Vote NO on the Resolution of Disapproval, S.J. Res. 12 (Federal Acquisition Regulation/Fair Pay and Safe Workplaces EO).

DEAR SENATORS: On behalf of the American Civil Liberties Union (ACLU), we urge members of the Senate to support the resolution disapproving the final rule of the Social Security Administration which implements the National Instant Criminal Background Check System Improvement Amendment Acts of 2007.

Additionally we urge members to oppose the resolution of disapproval of the rule submitted by the Department of Defense, the General Services Administration, and NASA relating to the Federal Acquisition Regulation that implement the Fair Pay and Safe Workplace Executive Order 13673.

SOCIAL SECURITY ADMINISTRATION (SSA)'S IMPLEMENTATION OF THE NICS IMPROVEMENT AMENDMENT ACTS OF 2007 HARMS PEOPLE WITH DISABILITIES

In December 2016, the SSA promulgated a final rule that would require the names of all Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients—who, because of a mental impairment, use a representative payee to help manage their benefits—be submitted to the National Instant Criminal Background Check System (NICS), which is used during gun purchases.

We oppose this rule because it advances and reinforces the harmful stereotype that people with mental disabilities, a vast and diverse group of citizens, are violent and should not own a gun. There is no data to support a connection between the need for a representative payee to manage one's Social Security disability benefits and a propensity toward gun violence. The rule further demonstrates the damaging phenomenon of ''spread,'' or the perception that a disabled individual with one area of impairment automatically has additional, negative and unrelated attributes. Here, the rule automatically conflates one disability-related characteristic, that is, difficulty managing money, with the inability to safely possess a firearm.

The rule includes no meaningful due process protections prior to the SSA's transmittal of names to the NICS database. The determination by SSA line staff that a beneficiary needs a representative payee to manage their money benefit is simply not an ''adjudication'' in any ordinary meaning of the word. Nor is it a determination that the person ''lacks the mental capacity to contract or manage his own affairs'' as required

by the NICS. Indeed, the law and the SSA clearly state that representative payees are appointed for many individuals who are legally competent.

We recognize that enacting new regulations relating to firearms can raise difficult questions. The ACLU believes that the right to own and use guns is not absolute or free from government regulation, since firearms are inherently dangerous instrumentalities and their use, unlike other activities protected by the Bill of Rights, can inflict serious bodily injury or death. Therefore, firearms are subject to reasonable regulation in the interests of public safety, crime prevention, maintaining the peace, environmental protection, and public health. We do not oppose regulation of firearms as long as it is reasonably related to these legitimate government interests.

At the same time, regulation of firearms and individual gun ownership or use must be consistent with civil liberties principles, such as due process, equal protection, freedom from unlawful searches, and privacy. All individuals have the right to be judged on the basis of their individual capabilities, not the characteristics and capabilities that are sometimes attributed (often mistakenly) to any group or class to which they belong. A disability should not constitute grounds for the automatic per se denial of any right or privilege, including gun ownership.

FAIR PAY AND SAFE WORKPLACES REGULATIONS ADVANCE WORKER SAFETY AND RIGHTS

The rules implementing the Fair Pay and Safe Workplaces Executive Order take an important step towards creating more equitable and safe work conditions by ensuring that federal contractors provide workplaces that comply with federal labor and civil rights laws.

Employers that have the privilege of doing business with the federal government must meet their legal obligations. The Fair Pay and Safe Workplace regulations are crucial because they help ensure that federal contractors behave responsibly and ethically with respect to labor standards and civil rights laws and that they are complying with federal labor and employment laws such as the Fair Labor Standards Act (which includes the Equal Pay Act), Title VII of the Civil Rights Act, the Americans with Disabilities Act of 1990 and the Occupational Safety and Health Act, and their state law equivalents. The Executive Order also bans contractors from forcing employees to arbitrate claims under Title VII of the Civil Rights Act as well as claims of sexual harassment and sexual assault.

Congress should stand with workers, increase the accountability of federal contractors and oppose any attempts to undo the Fair Pay and Safe Workplaces regulations. These rules will help ensure that the federal government does not contract with employers that routinely violate workplace health and safety protections, engage in age, disability, race, and sex discrimination, withhold wages, or commit other labor violations.

If you have any questions, please feel free to contact Vania Leveille, senior legislative counsel, at vleveille@aclu.org or (202) 715–0806.

Sincerely,

FAIZ SHAKIR,
Director, Washington Legislative Office.
VANIA LEVEILLE,
Senior Legislative Counsel, Washington Legislative Office.

CONSORTIUM FOR CITIZENS WITH DISABILITIES,
Washington, DC, January 26, 2017.

Hon. MITCH MCCONNELL,
Senate Majority Leader, Washington, DC.
Hon. CHUCK SCHUMER,
Senate Minority Leader, Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND MINORITY LEADER SCHUMER: The Co-Chairs of the Rights Task Force of the Consortium of Citizens with Disabilities (CCD) urge you to support a Congressional Review Act (CRA) resolution to disapprove the Final Rule issued by the Social Security Administration (SSA) on December 19, 2016, ''Implementation of the NICS Improvement Amendments Act of 2007.'' This rule would require the Social Security Administration to forward the names of all Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients who use a representative payee to help manage their benefits due to a mental impairment to the National Instant Criminal Background Check System (NICS).

The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

Prior to the issuance of the Final Rule, the CCD Rights Task Force conveyed its opposition to the rule through a letter to the Obama Administration and through the public comment process. We—and many other members of CCD—opposed the rule for a number of reasons, including:

The damaging message that may be sent by a SSA policy change, which focused on reporting individuals who receive assistance from representative payees in managing their benefits to the NICS gun database. The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions.

The absence of any data suggesting that there is any connection between the need for a representative payee to manage one's Social Security disability benefits and a propensity toward gun violence.

The absence of any meaningful due process protections prior to the SSA's transmittal of names to the NICS database. Although the NICS Improvements Act of 2007 allows agencies to transmit the names of individuals who have been ''adjudicated'' to lack the capacity to manage their own affairs, SSA's process does not constitute an adjudication and does not include a finding that individuals are broadly unable to manage their own affairs.

Based on similar concerns, the National Council on Disability, an independent federal agency charged with advising the President, Congress, and other federal agencies regarding disability policy, has urged Congress to use the Congressional Review Act to repeal this rule.

We urge Congress to act, through the CRA process, to disapprove this new rule and prevent the damage that it inflicts on the disability community.

On behalf of the CCD Rights Task Force, the undersigned Co-Chairs,

DARA BALDWIN,
National Disability Rights Network.
SAMANTHA CRANE,
Autistic Self-Advocacy Network.
SANDY FINUCANE,
Epilepsy Foundation Law.
JENNIFER MATHIS,
Bazelon Center for Mental Health.
MARK RICHERT,
American Foundation for the Blind.

Mr. GRASSLEY. Mr. President, some of the supporters of the new gun ban have brought forth arguments to try to discredit the other side. They have said that repealing the agency rule will allow the mentally ill to acquire firearms.

Let me tell you why that is not true. Under this regulation, the Social Security Administration never, ever determines a person to be mentally ill before reporting them to this gun ban list. It does not provide due process before reporting them to the list. Once the agency places a person on this disorders list, it then moves to assign a representative payee. But that is a very flawed process as well.

The former Social Security Administration inspector general said the following last year in testimony before a committee about assigning a representative payee. This will be a very short quote from the inspector general: ''It's not a scientific decision; it's more of a personal opinion.''

It is quite obvious under our Constitution's due process clause that the personal opinion of a bureaucrat cannot be the basis for taking away a person's Second Amendment rights.

Further, a June 2015 internal Social Security report found significant shortcomings in the representative payee process, namely that—and I will quote from the Social Security report—''the Social Security Administration's capability determinations were undeveloped, undocumented, or insufficiently documented.''

A very legitimate question can be raised: How can any of us be comfortable allowing our fellow citizens to be subjected to such a process, a process that leads to the violation of constitutional rights? The regulation does not then require a formal hearing at any point.

Federal law and other regulations require that a formal hearing take place.

Mr. President, 18 U.S.C. 922(d)(4) requires adjudication before depriving someone of the right to own a firearm due to mental illness. There can be no adjudication if there is no hearing.

A 1996 ATF Federal Register Notice says ''the legislative history of the Gun Control Act makes it clear that a formal adjudication is necessary before firearms disabilities are incurred.''

The Obama administration knew that fundamental rights required constitutional due process. At the bare minimum, that requires a hearing. Yet, in this rule, no hearing is being afforded to that individual that will eventually have their constitutional rights abrogated. Of course, that ought to be considered not only a travesty but a travesty on the Constitution as

well. The constitutional due process is entirely nonexistent because there is absolutely no opportunity for an individual to challenge the proceedings against them.

The American Civil Liberties Union has echoed the same concerns, stating that ''the rule includes no meaningful due process protections prior to the Social Security Administration's transmittal of the names to the National Instant Criminal Background Check System database.''

The Second Amendment is very much being tossed aside without a formal dispute process to challenge the action before the constitutional right is abridged. On these facts alone, the regulation should be repealed. Yet there is more.

The regulation fails to establish that a person is a danger to themselves or a danger to others before taking away the constitutional rights the Second Amendment allows. If a rule premised on safety is to have any credibility, one would obviously think that the government needs to prove a person is dangerous, but this rule fails in that regard because it does not require the agency to find a person is, in fact, dangerous. The Second Amendment is a fundamental right requiring the government to carry the burden showing a person has a dangerous mental illness. This regulation obviously and simply does not achieve that requirement.

To be clear, however, if this regulation is repealed, Federal gun prohibitions will still exist. Individuals who have been determined to be a danger to themselves or others will still be prohibited from purchasing firearms. Also, individuals who are found to have a dangerous mental illness will be prohibited from purchasing a firearm. A person convicted of a felony or a misdemeanor crime of domestic violence will still be prohibited from purchasing, owning, and possessing a firearm. The same is true for those involuntarily committed to a mental institution.

As government expands, liberty contracts. It follows that with the expansion of government, power is centralized here, in this island surrounded by reality that we call Washington, DC, rather than with the American people. Often with that centralization of power, fairness does not necessarily follow, as demonstrated by this regulation. This Obama-era regulation is a perfect example of government wielding too much power—the power to deny people due process, the power to deny people their constitutional rights under the Second Amendment.

The process described herein is extremely problematic and necessitates being done away with by the passing of this resolution of disapproval. It is not clear that any of these disorders a person is labeled with has anything whatsoever to do with a person's ability to responsibly own a firearm, and there is insufficient due process to ensure that a person actually has a given disorder that would interfere with their safe use of a firearm. Notably, even if a representative payee has been assigned, the individual still maintains the capacity to contract.

Thus, the government is subject to a very low threshold to report names to the gun list and no burden of proof is required. By contrast, under this regulation, those who are reported to the list must prove the negative. They have to prove that the government is wrong. They must prove they are not a danger in order to get their name off that gun ban list. For the government to shift the burden to the citizen whose rights are being deprived is clearly unfair and unconstitutional. The failure to determine if a person is mentally ill or a danger to self or others is a material defect to this regulation, as is the failure to afford constitutional due process. There is no reasonable basis under this regulation to justify abridging that very important, fundamental constitutional right, and that is why this regulation must be repealed through the passage of this resolution of disapproval.

I yield the floor.

ORDER FOR RECESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m. today.

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

The Senator from Utah.

Mr. HATCH. Mr. President, the Senate is now considering H.J. Res. 40, a resolution of disapproval regarding a misguided Social Security Administration regulation that infringes on many Americans' Second Amendment rights. As a cosponsor of the Senate companion to this resolution, which was filed by Chairman GRASSLEY, I would like to add my voice to that of the many advocates, including the National Disabilities Rights Network and groups such as the National Rifle Association that work to protect the rights of law-abiding gun owners who have expressed support for this important legislation.

I would also like to express my appreciation to Chairman GRASSLEY and others for their leadership on this issue. This ill-advised regulation not only stigmatizes individuals with disabilities, it also violates the Second Amendment and due process rights of many Americans, and it should be repealed.

As a longtime supporter of Americans' constitutional right to keep and bear arms, I was deeply troubled by this regulation, which allows the Social Security Administration to report individuals they consider, in the words used in the regulation, to be ''mentally defective'' to the National Instant Criminal Background Check System, or NICS, if they have ''mental impairments,'' receive disability insurance benefits, and receive those benefits through a representative payee.

When someone receives benefits through SSA's representative payee program, SSA field office employees have deemed them unable to manage their finances. However, SSA's representative payee program itself is, by many accounts, ineffectively administered.

You don't have to take my word for it. As recently as 2013, the Government Accountability Office identified that SSA ''struggles to effectively administer its Payee Program.'' There are unexplained and large discrepancies across various regions of the country that SSA serves in numbers of beneficiaries who are assigned by SSA field offices to be in the payee program. Yet, despite these known gaps and discrepancies, SSA apparently thought that this system was sufficient to determine whether some beneficiaries should be afforded a constitutional right.

Let's be clear. Under SSA's rule, individuals who are not found by SSA employees or any other competent authority to be a danger to themselves or others but rather simply need help managing their finances will be prohibited from legally purchasing a firearm. While we all want to make sure that the NICS system works effectively to prevent violent criminals and those who actually do pose a threat from purchasing firearms, this regulation is exceedingly overbroad. Moreover, it is not at all clear to me that SSA employees in field offices should be put in charge of deciding who can legally purchase a firearm. Of course, the bureaucrats at SSA who were prodded by the Obama administration to write the rule say they will create some sort of internal structure to allow beneficiaries to appeal the decisions of SSA employees. Of course, that means SSA would need to construct a new costly adjudication system to review decisions that its employees are not well-equipped to make in the first place. This is particularly strange, given that it is standard practice at SSA to decry the agency's funding levels while also claiming it is already unable to adequately serve its beneficiaries due to budgetary shortfalls.

All of this simply does not add up. The SSA is not at all equipped for this kind of decisionmaking; moreover, the standards that would apply under the regulation for SSA to report a beneficiary to the NICS represent a much lower bar than the one anticipated in the applicable Federal statutes to determine the eligibility to purchase a firearm. That being the case, we need to pass Chairman GRASSLEY's resolution of disapproval, which has already been approved by the House of Representatives with bipartisan support.

I encourage my colleagues to join me in voting in favor of this resolution.

I thank my friend from Oregon for allowing me to go forward on this short set of remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I listened carefully to my colleagues on the

other side, and I want to make sure people really understand what this debate is all about. This debate is about background checks. It is about mental health. It is not about taking away constitutional rights. I am struck—and I know the distinguished Presiding Officer has taken part in a lot of these debates as well—that whenever there is a discussion about guns in the U.S. Senate, Senators get up and say: We shouldn't be debating guns, we ought to be debating mental health. That is what we are talking about today—mental health and background checks.

The fact is, we can go into townhall meetings in any part of America and hear extraordinary support for the whole idea of background checks. Background checks are right at the heart of this morning's debate and supporting background checks is not some extreme far-out position to hold. In fact, opposing background checks is the view that is way out of the mainstream of American political thought.

A recent poll found that 92 percent of gun owners supported expanded background checks. Let me just repeat that 92 percent of gun owners in America support expanded background checks. As the courts continue to interpret the language of the Second Amendment, one matter has been made clear: background checks are a constitutional part of the exercise of those rights.

So what I am going to do is describe what this is all about, but I want to, as we get going, make sure people understand that fundamentally this is about background checks, and it is about mental health. It is not about taking away somebody's constitutional rights.

Here is how the proposal under discussion works. If there is an individual with a severe mental impairment that means that another person—perhaps a family member—is in charge of their Social Security benefits, then the background check is to be informed by Social Security that the person with a severe mental impairment is ineligible to buy a gun. The fact is, we can always talk about tailoring the rule in a slightly different way. It is critically important that individuals who wind up in the background check system are not treated unfairly, but the fact is, anyone who thinks they have been unfairly affected by this proposal can appeal, and they are most likely going to win, as long as they are not a danger to themselves or anyone else. If the Social Security Administration says no, that person has the power to take their case to court.

What we are talking about here is, in my view, not about Democrats or Republicans, liberals and conservatives; I think we are just talking about plain old, unvarnished common sense. We want to, all of us—all of us—stop shootings by those who are in danger of hurting themselves or other persons.

The rule came out last year, but it goes back to the shootings at Virginia Tech and Sandy Hook. What the previous administration sought to do was to find some commonsense gun safety steps that could be taken under laws on the books. I want to emphasize this as well because whenever we talk about guns, what Senators always say is: Let's use the laws on the books. Let's use the laws on the books. We don't need to chase new laws and the like.

So the administration sought to use the laws on the books—the previous administration—to prevent the horrendous acts of violence that have so scarred our country in recent years. I know the distinguished Presiding Officer knows something about that from his own State.

I hope my colleagues will oppose the resolution. I think we are all aware in the Senate that whenever you have an issue that even touches on guns, everybody goes into their corners. They go into their respective corners.

My own view is—and I represent a State with a great many gun owners. I have had more than 750 townhall meetings at home. A lot of them—a lot of them—involve debates about guns. Overwhelmingly, in a State like mine, where there are a lot of gun owners, gun owners support making sure there are background checks. They want to address this as a mental health issue. Gun owners overwhelmingly say they have just had it with Congress doing absolutely nothing when it comes to practical, commonsense gun measures like background checks. They look at what goes on in Washington, DC—and I have had so many gun owners—and this comes up not just at town meetings. We have an icon in our State, Fred Meyer, a store. I think I have had chicken in every Fred Meyer in the State of Oregon. People come up and talk about issues like this in a Fred Meyer, and they ask: Why in the world can't there be Democrats and Republicans who just come together and do something that helps make our country a little bit safer? That is what this is all about.

I am not here to say this measure is a panacea; that somehow this is a magical elixir that is going to reduce gun violence in America. That wouldn't be right and certainly not part of how I see these debates. I see this as addressing a commonsense, practical measure relating to background checks and mental health.

I listened to my colleague, my friend from the Finance Committee, Senator GRASSLEY. If Members of the Senate feel so strongly that this particular rule needs addressing, then there ought to be a debate. The Senate, Democrats and Republicans, should get together and figure out how to improve the rule.

What is important is that is not going to be possible if this resolution passes. If this rule is struck down under the Congressional Review Act, it wouldn't just scrap this particular background check, it would salt the Earth. It would prevent this issue from being addressed for quite a number of years.

I am going to close by talking a bit personally for a minute about why I feel so strongly about this. My late brother Jeff, who passed at the age of 51, suffered from schizophrenia, a serious mental impairment. He started to withdraw in his teens. His condition got worse over the next few years. We were close. He was just a couple of years younger than I. I watched the continuing odyssey that Jeff went through of various mental health facilities, run-ins with the law on the streets.

I will say to the Presiding Officer that not a day went by in the Wyden household when we weren't worried that Jeff was going to hurt himself or somebody else. That was the reality for the Wyden family, and that is a fear that I know is felt in households all across the country, day in and day out.

My brother received benefits from public programs while he struggled with a mental impairment. My dad wrote a book about it because we were so hopeful at one time. He wrote a book called ''Conquering Schizophrenia.'' We thought there was a breakthrough drug known as olanzapine.

We always felt during those years that it would be a big mistake if Jeff Wyden could buy a gun. He would have been a danger to himself. He would have been a danger to others. I don't think Americans should have to carry that burden and experience that kind of worry that comes along with the danger we felt week after week for years in the Wyden household and that I know other families across the country feel as well.

(Mr. CRUZ assumed the Chair.)

The Presiding Officer wasn't in the Chair when this began, and I started off by way of saying that, to me, this is about background checks, it is about mental health; it is not about taking away people's constitutional rights, but I can understand why other people would have a difference of opinion. That is what the Senate is about. That is what the Senate is supposed to do—to debate these issues. So if somebody said: Well, there is a better way to do this, to improve it, count me in—count me in to talk with colleagues, the Presiding Officer, and others—but if you support this resolution today, you close off that door. You preempt that possibility because of the way the Congressional Review Act actually works.

I urge my colleagues to oppose this. This is what the Senate says it wants to do when we talk about guns. I wish I had a nickel, in fact, for every time the Senate talked about guns—I wish I had a nickel for each time a Senator got up and said: We shouldn't be working on guns. We ought to be working on mental health. That is what this is about, mental health and background checks.

I urge my colleagues to oppose the resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I have heard my Republican friends tell those

of us who want the laws of this country changed to protect our constituents against gun violence that what we should focus on is enforcing the existing law; that we don't need any new laws, all we need to do is focus on enforcing the existing law.

Senator WYDEN said he wished he had a nickel for every time he has been told our focus should be on background checks. Well, I wish I had a nickel for every time my colleagues told me we should focus on enforcing the existing law. Yet I would also be a rich man if I had a nickel for every time Republicans came to the floor and tried to undermine the existing law, tried to rewrite the existing law to make it harder to enforce it.

The Appropriations Act is, on an annual basis, loaded up with riders that hamstring enforcement agencies, don't allow them to actually enforce existing laws. The CRA we have before us today will make it harder for the Federal Government to do what we have told them to do for decades, which is to put dangerous people and people who are seriously mentally ill on the list of those who are prohibited from buying guns. That is the existing law. The existing law says that if you are convicted of a serious crime or you have a serious mental illness and you have gone through a process by which a determination has been made by a government agency as such, that you should not be able to buy a weapon.

Why do we have that law on the books? Why have we come together as Republicans and Democrats to say that people with serious mental illness or people who have been adjudicated of a violent crime shouldn't be able to buy weapons? It is because the evidence tells us over and over again that if you have committed a violent crime, you are likely—more likely than if you haven't committed a violent crime—to commit another one. And over and over again, as we have seen these mass shooters walk into places like Sandy Hook Elementary School or a movie theater in Colorado or a classroom in Blacksburg, we know that people with serious mental illness in this country can go buy a very powerful weapon and do great damage with it.

That does not mean there is an inherent connection between mental illness and violence. In fact, we know the opposite to be true. If you are mentally ill, you are probably more likely to be the victim of violence than you are to be the perpetrator of it. But we do know that in this country, given the fact that weapons are so easy to come by, people with mental illness—serious mental illness—who have an intersection with visions of violence often do great harm. So we made a collective decision as Republicans and Democrats that if you have a serious mental illness, you probably shouldn't be able to go and buy an assault weapon. That is what the law says.

Section 101 of the NICS Improvement Act is titled ''Enhancement of requirement that Federal departments and agencies provide relevant information to the National Instant Criminal Background Check System.'' That is a piece of legislation which both Republicans and Democrats supported. It commands that Federal agencies provide relevant information to the criminal background check system.

What is relevant information? ATF defines someone who should not be able to buy a gun as one who ''lacks the mental capacity to manage his own affairs.'' So there is the existing statute. The existing statute says that relevant agencies should forward information to the criminal background check system on individuals who are prohibited from owning guns, and that is defined in part as an individual who ''lacks the mental capacity to manage his own affairs.''

That is exactly what the regulation proffered by the Obama administration at the end of last year does. It says that individuals who have filed a claim for disability, who meet the requirements of one of Social Security's mental disorders listing of impairments, have been found to be so severely impaired that they are unable to work, and have been found, with due process, to be incapable of managing their own benefits and have had a representative appointed to them to manage their disability benefits, that those individuals meet the definition of someone who lacks the mental capacity to manage their own affairs.

If you are supporting this CRA today, then you are undermining the ability of law enforcement to do their job to enforce the law as Congress has passed. So spare me this rhetoric about passing no new laws because we should just focus on enforcement. Once again, with this CRA, you are undermining the ability of the Federal Government and of law enforcement to enforce the law.

Let's be clear about what the danger is. It is correct to state that there is no inherent connection between being mentally ill and being dangerous, but the risk is not just that an individual is going to buy a gun and use it themselves; the risk is that someone who literally can't deposit their own paycheck probably can't or likely can't responsibly own and protect a gun.

I could sit here for the rest of the day and recite the number of times a gun owned by one individual got used in an accidental shooting, got taken illegally, stolen from their premises, and used in a crime. The danger of an individual who has severe mental incapacity is not just that they are going to take that weapon and fire it but that they are not going to own, keep, and protect it responsibly. If you can't manage your own financial affairs, how can we expect that you are going to be a responsible steward of a dangerous, lethal firearm?

We are talking about a very limited group of individuals here—who, by the way, under the regulation, have due process to contest the determination. First of all, they have an ability to contest the determination by Social Security that they shouldn't be able to manage their own financial affairs, and then the regulation secondarily gives them the ability to specifically contest their limitation on gun ownership. So there is full ability for the individual or for the family to contest this limitation, which makes it completely constitutional. Nonsense that this is a restriction of a constitutional right.

The Heller decision, which does hold that an individual has a right to gun ownership, also makes it explicit in Justice Scalia's opinion that there are limitations on that right, and the Scalia decision itself lists as one of those conditions the restriction of gun ownership by people who are seriously mentally ill.

The law is clear that Federal agencies are required to upload information onto NICS of those individuals who cannot manage their own financial affairs because of mental illness. The Supreme Court is clear that this is entirely constitutional. So why are we doing this? Why are we having a debate about rolling back the criminal background check system when 90 percent of Americans support it?

No matter what State you live in, sit down with your constituents and tell them that you voted to allow people who are seriously mentally ill to be able to buy guns. You are not going to get a lot of takers. And it is not because people don't have compassion for people with mental illness. I have worked for the last 2 years to pass the most substantial mental health reform act that this body has seen in a decade. I have spent as much or more time than anybody in this Chamber advocating for the rights of people with mental illness and for their treatment. But I also understand that when people are so mentally ill that they can't manage their own financial affairs, they probably shouldn't buy a gun. That is a small class of people.

What makes me so angry about this is I have no idea how to go back to the people whom I represent in Connecticut and tell them that in the 4 years since the massacre in a smalltown elementary school, not only has Congress passed no law, made no change in statute to try to keep dangerous weapons out of the hands of would-be shooters, but that today we are doing exactly the opposite. The response to the epidemic of mass shootings in this country is to make it easier for people with serious mental illness to get guns. How do I explain that to people in Connecticut?

How do the folks representing areas where shootings are a regular occurrence explain that Congress has done nothing to address mass shootings, to address the epidemic rates of gun violence in our cities, and yet we think it is so important to undermine the criminal background check system—not strengthen it, undermine it—that in the first month of this new administration and this new Congress, we are

rushing through this repeal of a commonsense regulation? That is deeply offensive to the majority of Americans, who think we should be strengthening our criminal background checks system, not undermining it. Ninety percent of Americans think we should have universal background checks. Not only are we not listening to them, we are undermining the criminal background checks system today.

I get that the gun lobby is pretty powerful in this place. I get that they have stood in the way of changes in our criminal background checks system that were supported by 90 percent of Americans. But even I wasn't cynical enough to think they had so much power that they could get Congress to roll back, to undermine the criminal background check system in the wake of this continued horrific level of gun violence all across the country.

Senator WYDEN is right. The danger in this is not just that it has the immediate impact of undermining the criminal background check system, but it potentially blocks our ability to get this right in the future. We don't know what the precedent is for CRAs because we haven't done them before. What we know is that it says you can't pass any regulation that is substantially similar to the regulation that you legislated on. Well, what does that mean in the context of keeping people with serious mental illness off the criminal background check system? Does that mean we can't ever legislate or regulate on the narrow issue of individuals who have had their right of financial affairs restricted through Social Security, or is that a broader prohibition that limits the administration's ability to regulate on strengthening of the criminal background check system in a much more comprehensive way?

We are playing with fire here because this is a precedent we know nothing about. We are playing with fire because we are potentially limiting the ability to ever get this issue right in the future when 90 percent of Americans want us to work together on it.

I understand this issue is a sensitive one. Having spent my entire career working hand in hand with committed advocates for people with mental illness, I understand the danger of conflating mental illness with violence. But this is a narrow category of individuals who by definition fit the parameters in existing law for those who are supposed to be on the NICS system.

For all the things that we disagree about on gun policy—I don't suspect we are going to get a meeting of the minds this Congress on whether all gun sales should be subject to background checks. I don't suspect we are going to figure out a way to work together on restricting access to high-capacity magazines or assault weapons. I thought at least we agreed on keeping the background check system that we have.

The existing law says that individuals who lack the mental capacity to manage their own affairs should be included on the list of those who are prohibited from buying weapons, and today we are undermining that existing law. We are undermining the enforcement of current statute—something Republicans have said over and over again they are not interested in doing.

I strongly urge my colleagues to vote against this measure.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent to be able to complete my remarks before the Senate recesses.

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

CABINET NOMINATIONS

Mr. THUNE. Mr. President, yesterday we began yet another week of considering Cabinet nominations in the Senate—our fourth week, to be precise—and we still have a long way to go. If anyone is wondering whether this is a normal confirmation process, the answer is no, it is not. Historically, Senate practice has been to quickly confirm a President's Cabinet nominees. President Obama had six nominees confirmed on his first day as President and nearly all the rest within the first 2 weeks. This tradition of speedy confirmation goes back a long way. By the point in every Presidency since President Eisenhower's, most, if not all, of the President's Cabinet nominees had been confirmed by now. Between 1881 and 1933, every incoming President had all of his Cabinet nominees confirmed on day one.

What is the reason for this? Historically, Senators of both parties have recognized that Cabinet officials play an essential part in getting an administration up and running, doing the business of the American people. Once the American people elect a President, the thinking historically has gone that it is only right that the President be given the advisers he needs to do the job he was elected to do—that is, until now.

This year, Democrats decided that they have had enough of timely Cabinet confirmations, that they have had enough of bipartisanship. Since President Trump was inaugurated, Democrats have done everything they can to drag out his Cabinet nominations. We don't have to take my word for it; here is what Politico had to say:

> Senate Democrats . . . are slow-walking the installation of Trump's Cabinet to a historic degree. . . . They are voting against Trump's Cabinet picks in unprecedented numbers.

Two weeks ago, the Washington Post published a piece titled ''Trump's confirmations really are taking longer than his predecessors.''

''Democrats,'' the Post noted, ''have tried to slow the process, invoking arcane parliamentary procedure to force delays, and boycotting committee meetings to prevent votes.''

For a party that has spent a lot of time complaining about obstruction, Democrats really are taking it to new heights. Thanks to Democrats' obstruction, the Senate has had to spend so much time confirming nominees that we have had very little time for actual legislative business. We still have a long way to go to finish confirming the President's Cabinet, unless the Democrats decide to stop their obstruction. Democrats aren't even really accomplishing anything with their delays.

Thanks to the rules change that they put in place in 2013—that was something that was engineered in 2013 where they literally broke the rules to change the rules—they can't actually prevent President Trump's nominees from being confirmed. The only thing they can do is to tie up the business of the Senate and delay work on legislation to address the challenges that are facing American families.

Democrats may not like President Trump, but it is high time they get used to the fact that he is our President. Democrats are not helping anyone by preventing the President from having a fully functioning administration. It is time for Democrats to abandon the obstruction, confirm the President's nominees, and allow the Senate to move forward with the business of the American people.

NOMINATION OF NEIL GORSUCH

Mr. President, in addition to Cabinet nominees, the Senate will be considering another key nomination in the coming weeks, and that is Judge Neil Gorsuch's nomination to the Supreme Court.

I met with Judge Gorsuch last week, and our meeting confirmed my opinion that President Trump could not have made a better pick for the Court. By now, I think Judge Gorsuch's qualifications are well known: his exceptional intelligence, his gift for the written word, his outstanding resume, and, most of all, his clear understanding of the proper role of a judge.

In his remarks at the White House after accepting the nomination, Judge Gorsuch spoke of judges' obligation to follow the law ''as they find it and without respect to their personal political beliefs.''

''A judge who likes every outcome he reaches is very likely a bad judge.'' Judge Gorsuch has said those words more than once. Why? Because a judge who likes every outcome he reaches is likely making decisions based on something other than the law.

That is a problem. The job of a judge is to interpret the law, not write it—to call the balls and strikes, not to rewrite the rules of the game. Everyone's rights are put in jeopardy when judges step outside of their role and start changing the meaning of the law to suit their personal opinions.

Judge Gorsuch doesn't just understand judges' responsibility; he lives it. He has won respect from liberals and conservatives alike for his deep commitment to following the law wherever

it leads, even when he doesn't like the results.

Here is what Neal Katyal, an Acting Solicitor General for President Obama, had to say about Judge Gorsuch:

> I have seen him up close and in action, both in court and on the Federal Appellate Rules Committee (where both of us serve); he brings a sense of fairness and decency to the job, and a temperament that suits the nation's highest court. . . . I, for one, wish it were a Democrat choosing the next justice.
>
> But since that is not to be, one basic criteria 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 to 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.

Again, those are not the words of a Republican. That is what Neal Katyal, formerly an Acting Solicitor General for President Obama, had to say about Judge Gorsuch. It is pretty high praise coming from a Democrat.

One of the Democrats' favorite tactics is to accuse Republican nominees of being extremists, no matter how mainstream they actually are. No matter how hard they try, I don't think they are going to have much success with that tactic against Judge Gorsuch.

When liberal after liberal attests to his fairness and impartiality, it is pretty hard to pretend he is anything but an excellent pick for the Supreme Court.

Then there are the stats from his time on the Tenth Circuit. Last week, the Wall Street Journal reported:

> Judge Gorsuch has written some 800 opinions since joining the Tenth Circuit Court of Appeals in 2006.
>
> Only 1.75 percent (14 opinions) drew dissents from his colleagues.
>
> That makes 98 percent of his opinions unanimous, even on a circuit where seven of the 12 active judges were appointed by Democratic Presidents and five by Republicans.

So it is a very divided circuit court in terms of the composition. Let me repeat that last line.

> That makes 98 percent of his opinions unanimous even on a circuit where seven of the 12 active judges were appointed by Democratic Presidents and five by Republicans.

When 98 percent of your opinions are unanimous, it is pretty much impossible to argue that you are somehow outside of the judicial mainstream. Very few of Judge Gorsuch's decisions have gone to the Supreme Court. When they have, they have been almost universally upheld—often, unanimously. I wish Democrats luck in portraying Judge Gorsuch as an extremist. I think they are going to have a very uphill climb.

Both liberals and conservatives recognize that Judge Gorsuch is a supremely qualified jurist who would make a terrific addition to the Supreme Court. I hope that Senate Democrats will listen to the consensus in favor of his nomination and abandon their threats of obstruction. Democrats spend a lot of time talking about the importance of confirming a ninth Justice to the Court. Now they are going to have a chance to confirm an outstanding nominee. I hope they take it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. THUNE. I withhold my suggestion.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the President Officer (Mr. PORTMAN Presiding).

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SOCIAL SECURITY ADMINISTRATION—Continued

The PRESIDING OFFICER. The majority whip.

CABINET NOMINATIONS

Mr. CORNYN. Mr. President, for the last several weeks, we have been doing all we can to take up and consider the President's nominations for his Cabinet, even though we have had little or no cooperation from the other side of the aisle.

Last night, we confirmed the President's top economic adviser—something you would think people would think was pretty important—the Secretary of the Treasury, and we did confirm the President's Secretary of Veterans Affairs. Ironically, the vote for the Secretary of Veterans Affairs was 100 to 0. So maybe somebody can explain to me what was the necessity of delaying the confirmation of the Secretary of Veterans Affairs for 3 weeks, leaving that important agency without a designated and Senate-confirmed head?

Earlier today, we considered the nomination of Linda McMahon to serve as the next head of the Small Business Administration, to help our country's job creators reach their potential. Again, we had an overwhelming vote for Linda McMahon for the SBA. So, again, my question is, What purpose is served by delaying, by foot-dragging, and by obstructing the President's choice of his Cabinet members?

We are glad we finally confirmed them, but to be honest, it is not much to celebrate. By carrying out this unprecedented obstruction of qualified nominees, our friends across the aisle are simply precluding the Senate from considering other acts of legislation that would actually be helpful to the American people. From my vantage point, it is pretty clear. While they are headed down this self-destructive path, our friends continue to listen and, sadly, cater to radical elements of their own party that simply haven't gotten over the election and have decided to obstruct the President and his agenda at all cost.

But we know for a fact, from our private conversations, that our Democrat friends are not—well, they are fractured. Some of them remembered what happened in 2014, when, under the leadership of then-Majority Leader Reid, essentially everybody was frozen out of offering legislation or amendments to legislation on the floor, including Members of the majority party—then, Democrats, at the time. That strategy really backfired, resulting in a huge Republican class of outstanding Senators in 2014.

People don't like that across the country. They think we are sent here to solve problems, and we work together and make progress on behalf of the American people. This sort of mindless obstruction or foot-dragging for foot-dragging's sake doesn't make any sense to them, and it doesn't make any sense to me either.

Now, I realize the minority leader—the Democratic leader—probably has the toughest job in Washington, DC—to try to keep the far left fringes of his party happy, while trying to do the work of the American people who sent us here to legislate. I do know that there are Members of the Democratic caucus who are very interested in trying to demonstrate their effectiveness by working on bipartisan legislation. Some of them happen to be running for election in 2018 in States carried by President Trump. You would think they would be incentivized to tell the leadership of their own party—or the far left of their party, which wants to do nothing but resist the Trump agenda and our bipartisan agenda in the Senate—to stand down or that they are not going to participate in that sort of mindless obstruction, because I think their enlightened self-interest tells them that not only is this what the American people sent us to do—to be productive on a bipartisan basis—but it is also in their electoral self-interest, as well.

As long as the Democratic leader caters to the fringe of his own party and resists any sort of cooperation, I think they can expect the same sort of results after Senator Reid led his party down that path in 2014. We are now headed into the fourth week of the new administration, and we have only confirmed a handful of this President's Cabinet picks. That is bad news not just for us but for the American people, as well.

Surely, after the election of November 8, when President Obama said he wanted to make sure he participated in a peaceful transition of power to the next administration, he was appealing to the better angels of all of those who perhaps were disappointed by the outcome of the election. But that is what

we do as Americans. We pull together in the best interest of the entire country. We get together and we fight, perhaps, and we take opposing parties in elections. But once the election is over, after the ballots are counted, we work together in the best interest of the American people.

But that is not happening, and that is really not just bad for the Senate. That is bad for the country. Our job in the Senate is to consider these nominees and to move on them so that the President of the United States can be surrounded by the people he has chosen to help him lead the country. I will tell you that I have been incredibly impressed by the quality of people he has selected. So as we begin to consider the remaining nominees put forward by President Trump, I hope our friends on the other side will start to realize the ramifications of their quest to stop the Senate or to drag out these deliberations and preclude us from doing other constructive work.

One thing I can promise you is that, thanks to the efforts of Senator Reid in the last Congress, all of these nominees will be confirmed. Our colleagues face the same choice they have had all along. They can either work with us to help get these advisers vetted and then confirmed, or they can make it painful for all of us for no good reason and reveal to the country just how ineffective they truly are when it comes to trying to obstruct this confirmation process.

My hope is that they will decide to course-correct and determine for the good of the entire country that the right thing to do is to move forward on these nominees. We were able to take up the VA Secretary and the Administrator of the SBA, basically by consent, by agreement, without having to grind through this lengthy process that we are having to do on the Mulvaney and the Pruitt nominations, just to get those done before Saturday. It is not necessary, and it is not going to change the outcome.

Mr. President, we are also going to take up an important congressional resolution of disapproval. The rule in question allows the Social Security Administration to report folks who may need help managing their money to the National Instant Criminal Background Check System, also known as NICS.

This is just another chapter in the same story that we heard last year when we successfully pushed back on the Veterans' Administration for trying to do the same thing—bureaucrats unilaterally taking away people's constitutional rights without even notifying them of the reason, much less without giving them an opportunity for a due process hearing. Well, this isn't a small matter. We have to make sure that the bureaucracies can't continue to infringe on fundamental rights guaranteed to all Americans. Now we have a chance to repeal this unconstitutional rule and to protect those just trying to receive the Social Security benefits they have earned.

I look forward to doing away with this particularly noxious rule soon, this week.

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. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CALLING FOR A SPECIAL COUNSEL

Mr. BLUMENTHAL. Mr. President, I am here principally to speak about the NICS Social Security Act, Congressional Review Act resolution that is before our Chamber, but events of the last 24 hours really raise before us the urgent and unavoidable issue of needing an investigation into the recent activities of Michael Flynn. He resigned as the National Security Advisor last night after revelations that he misled Vice President MIKE PENCE and other top White House officials. He may have misled the President and others in the White House, but there are also very serious questions about who knew what when. These classic what did they know and when did they know it questions must be answered by an independent counsel or commission, and the reason it must be independent is the same very profoundly important reason that I gave to then-Nominee Jeff Sessions, now Attorney General.

The Attorney General must appoint a special counsel in cases where there is reason to question his complete impartiality and objectivity; the reality as well as the appearance mandate here that there be an independent investigation by a special counsel.

Only a special counsel, independent of the Attorney General and of the White House, can ask with penetrating, aggressive, unflinching analysis whether the President knew before Michael Flynn made those phone calls to the Russian Ambassador and other phone calls to other foreign powers what the subjects of the conversations were, even whether they were going to be made, and only an independent counsel can know, with complete credibility and being regarded that way by the public, as to what happened and who knew what happened and when they knew.

This issue is about more than just a phone call to the Russian Ambassador. It is about the integrity and honesty of public officials, about the protections we give to our intelligence, and about the independence of our justice system.

I certainly have respect for the Office of Attorney General, but Jeff Sessions was deeply involved in President Trump's campaign and in the Presidential transition. I expressed to him in the hearing on his nomination that he would have to distance himself from an investigation of exactly these issues to maintain impartiality and objectivity in that investigation. So I will write to him today, and the letter will be made public shortly, asking for an independent counsel, a special investigator who can produce the information that is necessary for the public to be assured that there has been an inquiry that is impartial, objective, comprehensive, and thorough. It has to be unflinching and unstinting, and it should be done as soon as possible.

Mr. President, I want to address the issue that is before us on the floor relating to the Congressional Review Act resolution that we will vote on shortly and in my view that will undermine existing law if it is passed. Too many times in recent years we have had the terrible responsibility of bearing witness to the trauma and grief that follow gun violence. We see it in our streets every day, not just in Sandy Hook, which every day weighs on our minds and thoughts and hearts in Connecticut but the more than 30,000 deaths every year and countless injures all across the country in big and small towns, the streets of Hartford as well as rural and suburban communities.

I am far from the only one in this Chamber who has borne witness to that trauma and grief. Gun violence has claimed too many lives in too many places, through mass shootings in movie theaters as well as the constant drumbeat of shootings that never make the headlines. Our constituents count on us to make them safe. That is one of the fundamental responsibilities of our government. And by overwhelming majorities, including majorities of Republicans and of gun owners, they support commonsense steps to keep guns out of the hands of dangerous people. In failing to move forward with legislation that would advance those goals, Congress has been complicit in this ongoing epidemic. It is truly a public health crisis. If more than 30,000 people died every year from disease or other kinds of communicable illnesses, there would be a call for drastic action.

This kind of public health crisis must be met with strong steps. When many of us in this body who believe that Congress must now take action to stem the scourge of gun violence hear one refrain from our colleagues—''enforce the law; enforce the law that already exists''—we must heed that cry.

Enforcing the law that already exists is exactly what this regulation entails. So we must be ready to move forward. Yet, as my friend and colleague Senator MURPHY noted earlier, the Congressional Review Act resolution we are about to vote on will not only fail to enforce existing law, it will undermine existing law. Federal law prohibits those who have severe mental health issues—that is to say, issues that would prevent them from safely handling a gun, from possessing a gun.

Federal law also requires agencies that have information indicating that people are disqualified from gun possession to share that information with the NICS background check system. Under this regulation, the Social Security Administration has proposed to do

exactly that. Pursuant to the 2007 NICS Improvement Amendments Act—a law passed in the wake of the horrific Virginia Tech shooting to address significant loopholes in the background check system—the Social Security Administration will submit records to NICS for Social Security recipients who meet a specific set of carefully defined criteria. The regulation will apply only to a subset of Social Security disability recipients. It does not apply to those who are receiving Social Security retirement benefits. It applies only to those disability recipients who have been found, based on the Social Security Administration's established criteria, to be severely impaired due to a mental disability and who are therefore unable to perform substantial work or manage their own disability benefits.

Repealing this regulation could lead to great harm, exacerbating loopholes and failings in the background check system that erode public safety.

I have a letter from the United States Conference of Mayors, which represents city leaders from across our country. It says that ''due to loopholes in current law, too many mass murderers are still able to too easily obtain guns. This includes the individual responsible for killing 32 people and injuring 17 others at Virginia Tech in 2007 that led to the enactment of the NICS Improvement Amendments Act. These killings must stop and this rule, as implemented last year, will help to do that.''

I ask unanimous consent to have printed in the RECORD a letter from the United States Conference of Mayors, as well as a letter from the National League of Cities.

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

THE UNITED STATES CONFERENCE OF MAYORS,
February 9, 2017.

DEAR SENATOR: I write on behalf of the nation's Mayors to urge you to strongly oppose Senate Joint Resolution 14 (S.J. Res. 14), a bill to revoke a rule finalized last year by the Social Security Administration (SSA), which strengthens our nation's background check system for gun purchases by adding the names of people who are severely incapacitated by their condition and unable to manage their own finances.

The rule implements existing law, which required the SSA to send the names of those identified as prohibited people to the National Instant Background Check System (NICS). This rule finally brings SSA in compliance with the NICS Improvement Amendments Act (NIAA), a law that Congress passed on a bipartisan basis and President Bush signed into law in 2007. It also is consistent with ATF's direction for complying with the law.

The rule has a limited scope but is critically important to the fabric of our nation's background check system. Under the rule, people who receive benefits from the Social Security Administration due to a severe ''mental impairment'' and require a fiduciary representative to manage their benefits would be notified and reported to the FBI's NICS. The rule affects anyone 18 and older who qualifies for disability because of a primary designation of ''mental impairment'' that prevents the person from working and who must have a ''representative payee'' for handling his or her finances. This includes people who have been certified to be afflicted with severe mental health disorders, such as schizophrenia and other psychotic disorders, personality disorders, intellectual disabilities, anxiety-related disorders, substance addiction disorders and autistic disorders. These individuals have the right to appeal and a clear process for doing so.

We all know that it is due to loopholes in current law that too many mass murderers are still able to too easily obtain guns. This includes the individual responsible for killing 32 people and injuring 17 others at Virginia Tech in 2007 that led to enactment of the NIAA. These killings must stop and this rule, as implemented last year, will help to do that.

We urge you to help stop the killing and oppose S.J. Res. 14 or any other efforts to undermine or otherwise compromise the national Brady background check system that has stopped over 3 million prohibited purchasers from acquiring guns since its enactment.

Thank you for anticipated time and consideration of this critical matter.

Sincerely,

TOM COCHRAN,
CEO and Executive Director.

NATIONAL LEAGUE OF CITIES,
February 14, 2017.

DEAR SENATOR: On behalf of the 19,000 cities and towns represented by the National League of Cities, I write to express strong opposition to Senate Joint Resolution 14 (S.J. Res. 14) that will revoke a commonsense rule finalized last year by the Social Security Administration (SSA). The rule finally brings the SSA in compliance with the NICS Improvement Amendments Act of 2007 (NIAA), a law that Congress passed on a bipartisan basis and President Bush signed into law in 2007. The law requires SSA to send the names of mentally ill people, who have been determined to be a danger to themselves or others by a physician, to the gun purchase background check system. It is troubling that Senate is now considering S.J. Res. 14, which threatens to undermine this reasonable, bipartisan legislation that is making cities, and police officers, more safe.

The rule is limited in scope and critically important to the fabric of our nation's background check system. Under the rule, people who receive benefits from the Social Security Administration due to a severe ''mental impairment'' and require a fiduciary representative to manage their benefits would be notified and reported to the FBI's NICS. The rule affects anyone 18 and older who qualifies for disability because of a primary designation of ''mental impairment'' that prevents the person from working and who must have a ''representative payee'' for handling his or her finances. This includes people who have been certified to be afflicted with severe mental health disorders, such as schizophrenia and other psychotic disorders, personality disorders, intellectual disabilities, anxiety-related disorders, substance addiction disorders and autistic disorders.

Loopholes in the NICS law have allowed people who are clearly a danger to themselves or others to obtain guns. This includes the individuals responsible for killing 32 people and injuring 17 others at Virginia Tech in 2007; killing six people and injuring 13 others, including Congresswoman Gabrielle Giffords in Tucson in 2011; killing 12 people and injuring 70 others in Aurora in 2012; and killing 26 people, including 20 children in Newtown in 2012. These killings must stop and this rule, as implemented last year, will help to do that.

We urge you to oppose S.J. Res. 14 or any other efforts to undermine or otherwise compromise the national Brady background check system that has stopped over 3 million prohibited purchasers from acquiring guns since its enactment.

Sincerely,

CLARENCE E. ANTHONY,
CEO and Executive Direct.

Mr. BLUMENTHAL. It is critical to note that neither I nor any proponents of the Social Security Administration's rule believe that all or most or even a significant percentage of those suffering from mental health issues are dangerous—far from it. The overwhelming majority of people who confront mental health issues are peaceful and law-abiding citizens who seek only the treatment that should be everybody's right. In fact, I have been a strong advocate over many years of mental health parity, beginning when I was attorney general in the State of Connecticut. The very first Federal law on this issue that was passed was modeled in many ways after the State law that I championed. I was proud to support the passage of a bill last year to provide more resources to those seeking treatment, and I hope that it moves this country toward providing everyone with the care they need.

Mental health issues should be no cause for fear, no reason for stigma, no excuse for shame. Those who have come forward and been open about the treatment they have sought, in fact, have done themselves and their communities and country a great service. If I thought SSA regulations unfairly targeted people with mental illness or that it advanced the perception that they are inherently dangerous, I would oppose it with every fiber of my being, but that is not the regulation we have here.

As Senator DURBIN said this morning and my colleague Senator MURPHY reiterated, this rule is not one loosely applied to anyone who has some trouble balancing a checkbook; it applies only to those disability recipients with a serious and debilitating mental health issue. That is estimated to be about 75,000 people nationwide out of approximately 10 million Americans who suffer from a serious mental illness. Everyone who suffers from mental illness should have a right to treatment, but not all should have a gun. It is very unlikely that people who meet these criteria will be able to safely handle a gun or to safely store it in their home and prevent its misuse by themselves or by others.

It is possible that SSA's initial determination will be wrong. That is why crucially—please understand—crucially the regulation also provides due process. In fact, these due process protections are necessary when a constitutional right is at stake. This right, the Second Amendment right, must be respected as the law of the land. The regulation entitles those who are affected

by it to advanced notice. When going through the process to appoint someone else to handle their benefits, they are told that they will forfeit their firearms right. They are given that notice, and they are given due process. If they believe this is inappropriate or unnecessary, the regulation gives them that process to appeal. It is one that allows SSA to grant relief upon a determination that the beneficiary will not be ''dangerous to public safety,'' a term that has meaning.

SSA is also required to notify the NICS background check system if the name should be removed, whether it was submitted in error or because a beneficiary has recovered from the condition or because they were granted relief through the appeals process. Those are rights with real remedies, with due process, with fairness.

If I thought this regulation failed to provide adequate process that every individual is due, regardless of how much I support its goal, I would oppose it with, again, every fiber of my being because it should be and it is the law of the land.

Of course there may be ways that this regulation, like any regulation, could be better targeted or if the due process protections could be made stronger or if the administration could be made more efficient. We should not hesitate to make those improvements. I would welcome suggestions for enhancements, but the methods chosen by my colleagues to attack this regulation—the Congressional Review Act—prevent any and all of those improvements.

Severely limiting the time for debate denies us adequate consideration. Much worse, it is a blunt-force instrument that will prevent the Social Security Administration from issuing any ''substantially similar'' regulation in the future. So the passage of this resolution will prevent the SSA from complying with the legal requirement for submitting legal records for a background check in the future. It will hamstring this agency and prevent it from fulfilling its obligation to public safety—that is regardless of whether new information comes to light or whether it would be possible to devise a better method of submitting these records.

In the words of the well-known and respected group Americans for Responsible Solutions, using the CRA to undo this rule would ''not only allow guns to be placed into the hands of individuals determined to be legally incapable of using them safely, but it also creates an irresponsible, irreversible precedent.''

As I have always said, I will work with my colleagues on any good-faith steps to stem the tide of gun violence in this country, and I would be more than happy—in fact, I am eager—to work with them to fix flaws they see in this regulation. We need to come together to improve the integrity and efficiency of the national background check system and keep guns out of the hands of people who cannot safely handle them. People who are dangerous to themselves or others—it may be a very small number, but they can do great tragic damage. The resolution we will vote on shortly accomplishes neither of these goals. It does nothing to answer my constituents who ask me time and time again why Congress does nothing to confront the epidemic of gun violence in this country. It would create an irresponsible, irreversible precedent. More important than the precedent is the consequence in real lives of the death and injury that could result. Those deaths and injuries are truly irreversible and irresponsible, and we can help to stop them by taking the right stand on this resolution.

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. MARKEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

Mr. MARKEY. Mr. President, it is Valentine's Day, and Senate Republicans and President Trump want to deliver a love letter to their sweetheart, the National Rifle Association. To the Republicans and President Trump, nothing says ''I love you'' like ''let's weaken background checks on gun sales'' because that is exactly the issue before us today.

Today, Republicans in Congress and President Trump want to gut a commonsense safety measure that would help keep guns out of the hands of people who should not have them. After the tragedy in Newtown, CT, the Obama administration undertook a comprehensive review of Federal law to identify ''potentially dangerous individuals'' who should not be trusted with firearms.

The Social Security Administration was required to identify and report to the National Instant Criminal Background Check System those people who received Social Security benefits due to severe mental impairment and who require a fiduciary representative to manage those benefits.

That is a sensible policy. If you can't manage your disability benefits because of a mental impairment, you probably shouldn't be trying to manage a gun. Indeed, current law prohibits individuals from purchasing a firearm if a court, a board, a commission, or other lawful authority has determined that a mental health issue makes them a danger to themselves or to others or that they lack the mental capacity to contract or manage their own affairs.

The purpose of the rule is, simply, to include in the Federal background check system information from the Social Security Administration that it already has about beneficiaries whom current law already prohibits from possessing a firearm. Even this fair, reasonable, and commonsense limitation on gun purchasing is too much for the NRA and its Republican congressional allies. So they have turned, this afternoon, to the Congressional Review Act to roll back this rule. By doing so, they would block the Social Security Administration from issuing a similar rule on this subject in the future. This is shortsighted on the one hand and very dangerous on the other for a long, long time in our country because it is these loopholes in the background check system that have already allowed people to obtain guns, despite being judged a danger to themselves or to others, especially family members.

Loopholes in the system allowed the Virginia Tech, Tucson, Aurora, and Newtown shooters to obtain guns. We need to close loopholes like the ones that allow people who are mentally impaired from buying guns. Repealing this rule only keeps the loophole open.

Recent polls show that 92 percent of Americans support background checks for all gun buyers—including 87 percent of Republicans in our country support background checks on who is, in fact, purchasing a gun in our country—but not the National Rifle Association. The National Rifle Association sent an action alert to its membership on this current attempt to repeal the background check rule stating: ''The first pro-gun legislative act of the Trump era and Congress is on the verge of success, but it needs your help to get it over the line.'' That is all you need to know.

So on this Valentine's Day, the U.S. Senate should show some real love and compassion. Let us open our hearts to the American people who overwhelmingly are demanding commonsense gun control efforts like the one this rule puts in place. Let us defeat this ill-advised effort to roll back this rule which keeps guns out of the hands of people who should not have them.

This is the job of the Congress. This is the carnage we see in America. It is the indiscriminate issuing of licenses for guns to people who have not gone through the background checks that ensure they are qualified for the handling of a weapon within our society. Everyone else can get the weapon. Everyone else who goes through the check gets the weapon but not people who should not have them.

So this is a big moment here. It, unfortunately, gives an insight into what the Republican agenda is going to be this year. It is a radical agenda. It is an agenda which says to the National Rifle Association: We are going to pass your agenda, no matter how radical, out here on the floor of the Senate. What the American people are saying is they want the NRA to stand for ''not relevant anymore'' in American politics. That is what they want it to say, especially with the polling so overwhelmingly bipartisan, Democrats and Republicans, in terms of commonsense

background checks that are in the law to protect innocent families in our country.

All I can say is this isn't anything that is radical, this regulation. It is something that is common sense. It is something that protects American families, and I urge strongly that the U.S. Senate reject the removal of this regulation from the statutes of our country.

Mr. President, I yield back the remainder of my time.

Mr. CRAPO. Mr. President, today I wish to urge support for H.J. Res. 40. The Second Amendment to our U.S. Constitution reads, ''A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.'' The fact that our Nation's Founding Father's penned this constitutional right to follow another central freedom—the constitutional right to free speech—speaks to the importance of this basic right.

H.J. Res. 40, the resolution currently under consideration, would protect Social Security beneficiaries from having their constitutional rights arbitrarily revoked by the Social Security Administration. As a cosponsor of the Senate companion resolution introduced by Senator GRASSLEY, I support this critically important effort. The resolution would halt a rule issued by the Social Security Administration in the waning days of the outgoing Obama administration.

The previous administration, I might add, continuously sought to take away the Second Amendment rights of Americans through Executive orders and rulemaking. This is yet another example of an unjust leftover of that effort that needs to be corrected. In December 2016, under the direction of the Executive branch, the Social Security Administration issued a final rule to gather and submit information to the National Instant Criminal Background Check System, NICS, on individuals who are determined to be what NICS refers to as ''mentally deficient.'' In this case, a person can be reported to NICS simply for using a representative payee in managing their benefits.

It is not uncommon for the Social Security Administration to appoint someone to act as representative payee for a beneficiary who may need assistance to manage their benefits. The use of a representative payee is not indicative of mental deficiency. In fact, over 8 million beneficiaries need help managing their benefits, according to the Social Security Administration. Statute requires that, for an individual to be deemed ''mentally deficient,'' a court, board, or other lawful authority must find that the person is a danger to themselves or others or is unable to contract or manage their own affairs.

Under the rule that went into effect last week, SSA will be required to report individuals who have been appointed a representative payee to NICS. The Social Security Administration is not a court of law, and SSA officers are not a ''lawful authority.'' Equally alarming is the lack of an established appeals process to enable the removal of names from the system once entered. The Administration's lack of regard for due process is unacceptable.

We must reject the Obama administration's improper assumption that individuals are a danger to themselves or society because they participate in SSA's representative payee system. A January 2016 White House fact sheet estimated that SSA's rule would add 75,000 beneficiaries to the NICS list each year. The number of law-abiding individuals who will be added to the NICS list will likely be much higher. Thousands, if not millions, of Americans stand to lose their Second Amendment rights.

Over 91,000 comments were submitted to the Social Security Administration following the publication of the proposed NICS rule. I, along with several of my colleagues, wrote the Social Security Administration on four occasions to express our concerns about the proposed rule. Our concerns, and the concerns of 91,000 Americans, were clearly not factored into the rulemaking process.

Old age does not make someone a threat to society, and having a representative payee is not grounds to revoke constitutional rights. Millions of seniors are at risk of having their Second Amendment rights arbitrarily revoked on behalf of an Executive that is no longer in office. This is a brazen attack on our constitutional right to keep and bear arms. Please join me in stopping this outrageous rule that was finalized in the waning weeks of a lameduck administration. Join me in protecting the constitutional rights of law-abiding citizens.

The PRESIDING OFFICER (Mr. LANKFORD). Who yields time?

If no one yields time, time will be charged equally to both sides.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, we have a very bad regulation that has been put out by the Social Security Administration that needs to be obliterated, so we are using a process called the Congressional Review Act to show Congress's displeasure with the Social Security Administration and to get this regulation off the books.

Now, there has been a lot of talk about how the Congressional Review Act is the wrong vehicle to repeal the disastrous regulation. So I want to quote a contrary opinion from the National Coalition for Mental Health Recovery saying this:

The CRA—

Meaning the Congressional Review Act—

is a powerful mechanism for controlling regulatory overreach, and NCMHR urges its use advisedly and cautiously. In this particular case, the potential for real harm to the constitutional rights of people with psychiatric and intellectual disabilities is grave as is the potential to undermine the essential mission of an agency that millions of people with and without disabilities rely upon to meet their basic needs. Therefore, in this instance, NCMHR feels that utilizing the CRA to repeal the final rule is not only warranted, but necessary.

I would add to it that it is obviously necessary.

I ask unanimous consent that the letter be printed in the RECORD.

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

NATIONAL COALITION FOR MENTAL HEALTH RECOVERY,
Washington, DC, January 29, 2017.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.

Hon. CHUCK SCHUMER,
Senate Minority Leader,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND MINORITY LEADER SCHUMER: I write on behalf of the National Coalition for Mental Health Recovery (NCMHR) regarding the final rule the Social Security Administration (SSA) released on December 19th, 2016, implementing provisions of the National Instant Criminal Background Check System (NICS) Improvement Amendments Act of 2007, 81 FR 91702.

In accordance with our mandate to advise the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities, NCMHR submitted comments to SSA on the proposed rule. In our comments, we cautioned against implementation of the proposed rule because there is no causal connection 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.

Despite our objections and that of many other individuals and organizations received by SSA regarding the proposed rule, the final rule released in late December was largely unchanged. Because of the importance of the constitutional right at stake and the very real stigma that this rule legitimizes, NCMHR recommends that Congress consider utilizing the Congressional Review Act (CRA) to repeal this rule.

NCMHR is a nonpartisan, is nonpartisan nonprofit with no stated position with respect to gun-ownership or gun-control other than our long-held position that restrictions on gun possession or ownership based on psychiatric or intellectual disability must be based on a verifiable concern as to whether the individual poses a heightened risk of danger to themselves or others if they are in possession of a weapon. Additionally, it is critically important that any restriction on gun possession or ownership on this basis is imposed only after the individual has been afforded due process and given an opportunity to respond to allegations that they are not able to safely possess or own a firearm due to his or her disability. NCMHR believes that SSA's final rule falls far short of meeting these criteria.

The CRA is a powerful mechanism for controlling regulatory overreach, and NCMHR urges its use advisedly and cautiously. In this particular case, the potential for real harm to the constitutional rights of people with psychiatric and intellectual disabilities is grave as is the potential to undermine the

essential mission of an agency that millions of people with and without disabilities rely upon to meet their basic needs. Therefore, in this instance, NCMHR feels that utilizing the CRA to repeal the final rule is not only warranted, but necessary.

Sincerely,

DANIEL B. FISHER, MD, PhD,
Chair NCMHR.

Mr. GRASSLEY. Mr. President, there has also been talk about how supposedly dangerous it will be if this Social Security regulation is terminated. I don't see how that can possibly be realistic if the Social Security Administration doesn't even determine whether a person is dangerous in the first place—and ''dangerous'' meaning in regard to whether or not they ought to be able to make use of the constitutional right of the Second Amendment to own and possess firearms.

Others in this debate continue to mention that mentally ill people will be able to acquire firearms. Now this is very important. The Social Security Administration does not determine a person to be mentally ill prior to reporting their names to the gun ban list, and being on the list denies you your constitutional rights. The agency has confirmed this in writing to my office:

Yes, you are correct. The Social Security Administration does not diagnose individuals as mentally ill.

Supporters of this gun ban failed to address why individuals are not provided formal due process before reporting their name to the list. Supporters have also failed to talk about how the regulation is inconsistent with the statutory standard of ''mental defective.''

An existing statute requires agencies to report individuals to the gun ban list who are ineligible under current law for possessing firearms. That requirement does not require the existence of any regulation to be effective. So it is plainly wrong to claim, as was said this very day by the people opposed to what we are doing, that if the regulation is disapproved, agencies will no longer have to report prohibited persons. The reverse, in fact, is true.

The regulation usurps unlawful authority to report people to the gun ban list who are not barred from owning guns under current law and that the agency is prohibited from reporting under current law, especially without the adjudication that is required under current law.

Opponents of the regulation base their opposition on the language of the regulation, existing law, and the Constitution, citing the Constitution to say that you don't have a constitutional right to own arms under the Second Amendment, which is contrary to two recent Supreme Court decisions that verify that that applies to an individual. That is why the regulation's supporters must resort to arguments that lack legal and factual foundation.

Supporters of this gun ban also fail to address how overly broad this regulation is, as written. It will capture innocent Americans, denying innocent Americans their constitutional rights. Sadly, then, we know how this will play out if this regulation were allowed to go forward because we have the example of the Department of Veterans Affairs reporting hundreds of thousands of veterans to the National Instant Criminal Background Check System without adequate due process. That is the same system that Social Security was going to report people to.

Veterans were reported just because some lonely bureaucrat wanted to report them, with no opportunity to first have a neutral authority hold a hearing, finding that that individual is dangerous or actually has a dangerous condition. These were veterans who needed financial help managing their benefit payments.

It is common sense that needing help with your finances should not mean that you have surrendered a fundamental constitutional right of self-defense that you have under the Second Amendment.

Just like the Social Security Administration, the VA does not determine whether a veteran is dangerous before reporting his name to the gun ban list and denying that veteran his Second Amendment constitutional rights to own and possess firearms. The VA regulation is eerily similar to what the Social Security Administration wants to do.

On May 17, 2016, Senator DURBIN and I debated my amendment that would require the Department of Veterans Affairs to first find veterans to be a danger before reporting their names to the gun ban list. Now that is common sense; isn't it? You ought to find out if they are really dangerous before they are denied a constitutional right.

During the course of that debate, Senator DURBIN admitted that the list was broader than it should have been. He said:

I do not dispute what the Senator from Iowa suggested, that some of these veterans may be suffering from a mental illness not serious enough to disqualify them from owning a firearm, but certainly many of them do.

Senator DURBIN also said:

Let me just concede at the outset, reporting 174,000 names goes too far, but eliminating—

As my legislation proposed to do—

174,000 names goes too far.

For the record, though, it wasn't really 174,000 names going too far. It was actually 260,381 names that the VA sent to the gun ban list. Now that happens to be 98.8 percent of all names that are in the alleged ''mental defective'' category.

The Department of Veterans Affairs reported more names by far than any other agency without sufficient justification. Senator DURBIN's staff and mine have met over these issues since that debate, and I appreciate and thank him for that outreach.

Now we have the Social Security Administration problem and, through the Congressional Review Act, we can do something about it. We don't have to pass a separate piece of legislation, like we are going to have to do to straighten out the VA. So the Social Security Administration is about to make the same mistake as the VA unless we stop it right here and right now.

If this regulation is not repealed, the agency has informed my staff that approximately 15,000 to 75,000 beneficiaries of Social Security may be reported annually, denying them their constitutional right to bear, possess, and own firearms. That figure of 15,000 or even more so—the higher figure of 75,000—will add up very quickly.

In my earlier speech today on this topic, I made clear that the agency regulation is defective in many ways; namely, the regulation does not require the agency to find a person dangerous or mentally ill. The regulation provides no formal hearing before a person is reported to the gun ban list.

Supporters have also said that repeal of this regulation will interfere with enforcement of gun prohibition laws. Such a position is without any merit—denying people constitutional due process.

As I made clear in my earlier speech, important Federal gun laws are still on the books, even if the agency rule is repealed. This is so because this new regulation is actually inconsistent with those existing Federal gun laws. For example, individuals who have been determined to be dangerous or mentally ill will be prohibited, as will those convicted of a felony or a misdemeanor crime of domestic violence, and the same for those involuntarily committed to mental institutions.

While discussing the faults and defects of the rule, I think it is important to highlight that the issues I have pointed out are also the solution to the problem. If the supporters of the agency rule want the Social Security Administration to report individuals to the gun ban list, changes need to be made. Individuals must first be determined by a neutral authority after a fair hearing meeting the requirements of the U.S. Constitution. If they are dangerous and have a dangerous mental illness, then they could constitutionally be denied that right. Constitutional due process is a very important part of that process.

If we do not act, the agency will erroneously report tens of thousands of people per year to the gun ban list, and not one of them will have been adjudicated to be dangerous after a hearing with due process, not one of them will have been adjudicated to be mentally ill after a hearing with due process, and all of them will have had the government's burden shifted to them to prove they are not dangerous in order to get their name off the gun ban list. It is common sense, isn't it? It ought to be that you are innocent until proven guilty. If you can't have a gun, common sense tells me you ought not have

to prove that you can have a gun to the government; the government has to prove that you should not have a gun.

Any way you look at it, the regulatory scheme is patently unfair. If the government wants to regulate firearms, it needs to produce a clearly defined regulation that is very narrowly tailored to identify individuals who are actually dangerous and who actually have a dangerous mental illness. The government must also afford constitutional due process.

What we are dealing with here is a fundamental constitutional right backed up by two Supreme Court decisions in the last 10 years. With that type of constitutional status, the Second Amendment requires greater effort and greater precision from the government in order to fairly regulate how the American people exercise that constitutional right. This regulation simply doesn't meet that standard.

I urge my colleagues to support the resolution of disapproval.

Mr. President, I don't know whether anybody else is coming to seek the floor. If I am infringing upon somebody else's time, I will yield the floor, but in the meantime, I ask unanimous consent to speak as in morning business.

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

NOMINATION OF NEIL GORSUCH

Mr. GRASSLEY. Mr. President, I rise today to discuss some criticism I have heard about the nominee to fill the seat on the Supreme Court. That nominee is Neil Gorsuch.

My colleague, the minority leader, met with the nominee last week. Afterward, he told reporters that he had ''serious, serious concerns'' about the judge. Well, I guess I shouldn't be surprised—after all, it seems the minority leader had concerns about the nominee even before the nominee was announced.

Before Judge Gorsuch was announced, the minority leader made clear that any nominee must be ''mainstream.'' But it became clear immediately that this nominee is widely regarded as a mainstream judge with impeccable credentials. Liberal law professor Laurence Tribe says that ''he's a brilliant, terrific guy who would do the Court's work with distinction.'' Alan Dershowitz, who certainly is no conservative, says that Judge Gorsuch will be ''hard to oppose on the merits.'' Even President Obama's Acting Solicitor General, Neal Katyal, said Judge Gorsuch ''would help to restore confidence in the rule of law.'' The chorus goes on.

Apparently, because the nominee is so obviously mainstream, the benchmark for my colleague's concerns keeps changing. The minority leader has conveniently developed a new test. Now he says the benchmark is independence: ''The bar for the Supreme Court nominee to prove that they can be independent, has never, never been higher.''

Well, fortunately for the minority leader, Judge Gorsuch passes that bar with flying colors, just like he passed the ''mainstream'' test with flying colors. The nominee's record makes clear that he is an independent and fair-minded judge who is deeply committed to the separation of powers.

Here is just one example from his many opinions on this point. Just last year, Judge Gorsuch had to decide a case about the authority of the Board of Immigration Appeals, or the BIA, which answers to the Attorney General. The BIA wanted to change the Attorney General's power to waive immigration requirements for illegal immigrants, and it wanted the new rules to apply to undocumented immigrants whose waiver applications were already in the works. The nominee said no to this executive agency. To be clear, Judge Gorsuch was asked to decide whether an executive agency in charge of immigration laws could change the law on a whim in a way that many believed was unfair to immigrants who had already sought waivers. He said no.

With due respect to my friend the minority leader, there is no doubt that Judge Gorsuch would say no to this or any other part of the executive branch that oversteps its bounds.

Here is what the nominee wrote about the separation of powers and executive branch overreach. For him to defer to the executive agency in that case would be ''more than a little difficult to square with the Constitution of the framers' design.'' That is because doing so would allow agency bureaucracy to ''swallow huge amounts of core judicial and legislative power,'' which the Constitution assigns to separate branches of government. So the nominee was concerned about the separation of powers. He was concerned about people whose liberties might be impaired, and because of those concerns, he said no to the immigration agency's policy whim of the day.

Judge Michael McConnell, a former colleague of Judge Gorsuch on the Tenth Circuit, makes the same observation about this case. He says the scope of executive power arguably ''will be the most common Supreme Court issue of the coming decade.'' He says the nominee analyzes that issue in a way that is faithful to the Constitution and to the independence of the judiciary, and he points to the nominee's thinking on this question. Judge Gorsuch wrote:

> What would happen . . . if the political majorities who run the legislative and executive branches could decide cases and controversies over past facts? They might be tempted to bend existing laws, to reinterpret them . . . [this would] risk the possibility that unpopular groups might be singled out for this sort of mistreatment—and [would] rais[e] along the way, too, grave due process, fair notice, and equal protection problems. . . . It was to avoid dangers like these, dangers the founders had studied and seen realized in their own time, that they pursued the separation of powers.

That is the writing of an independent judge who believes in the separation of powers.

You know, there is a bit of irony to some of the criticism I have heard leveled against Judge Gorsuch. On the one hand, I have heard that he will have to be independent and that he won't rubberstamp the President's agenda. On the other hand, I have heard that he will be way too tough on the executive branch as it fulfills the President's agenda. It is quite obvious that, common sense tells us as we look at those two arguments that we can't have it both ways.

Judge Gorsuch has shown he is faithful to the separation of powers in the Constitution. That means he will be an independent judge who will say no when the other branches of government overreach.

You don't need to take my word for it. Listen to President Obama's Acting Solicitor General, Neal Katyal. He is no fan of the President's Executive order, but he says that Judge Gorsuch ''will not compromise principle to favor the President who appointed him.'' Instead, the Solicitor General said the nominee ''would help to restore confidence in the rule of law.''

Judge Gorsuch's record and reputation leave no room to doubt that he is a mainstream, independent judge. He will apply the law fairly, and he won't be afraid to say no when the Constitution requires it.

Every time my colleague the minority leader has set out a standard for filling this Supreme Court seat, this judge has met it. He is mainstream. He is independent. And when my colleague chooses a new standard, I bet the nominee will also meet that new standard.

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. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

REMEMBERING AL BOSCOV

Mr. CASEY. Mr. President, I rise this afternoon to pay tribute to a Pennsylvanian who passed away this past week, Al Boscov.

Al was known not only in Pennsylvania, but beyond, as the owner of Boscov's Department Stores, a very, very successful retail department store chain. I rise not just to pay tribute to his life, his work, and his success but, most importantly, what he meant to the people of Pennsylvania—all that he did above and beyond in addition to his great business success.

I want to extend condolences to the Boscov family—to his wife Eunice, their children and grandchildren, and, of course, to the people of Reading and

Berks County, and, by extension, our entire Commonwealth because of what Al meant to his community and the larger community in eastern Pennsylvania but also all the way up to my home area of northeastern Pennsylvania.

I live in Scranton. One of his stores was, and still is, in the downtown business district in Scranton. So this is personal to me as well.

Al leaves two generations who will carry on his legacy in so many ways: his three daughters, Ruth, Ellen, and Meg, and his five grandchildren.

Al was born on September 22, 1929. He was the youngest son of Solomon and Ethel Boscov. He first made a name for himself as an expert flycatcher in his father's neighborhood store at Ninth and Pike. In those days, when he was just learning skills that would help him later in the business world, obviously people could see a great future for this young man.

He was a graduate of Reading Senior High School. He also graduated with a business degree from Drexel University, where he started his first business—a delivery service for hero sandwiches—which would presage a great career in business.

Al received an honorary doctor of humanities degree from Albright College in Reading, a doctor of arts and letters degree from King's College in Wilkes-Barre, PA, and, finally, a doctor of public service from Kutztown University. So three distinguished Pennsylvania universities paid tribute to him by way of a doctorate degree.

He served in the Navy during the Korean war. After service, Al returned home to join the family business and, in 1962, opened Boscov's first full-service department store, Boscov's West, in suburban Reading. Since that time, the Boscov chain has become the largest family-owned department store chain in the Nation, with 45 stores in 7 States, employing some 7,500 coworkers.

Here is what Al said about his store, which shows the attitude he conveyed as a businessperson and a member of the community. When he talked about people visiting his stores, he said:

> We like to give people a reason for coming to Boscov's even when they don't want to buy anything. They enjoy themselves and hopefully we make a friend.

What a great attitude for any business leader, especially one who opened his business in the town in which he grew up.

Al's family remains especially proud of his continual efforts to fight prejudice and promote cultural understanding. For example, at times of growing racial tension in Reading years ago, Al used his three Reading stores to present a heritage festival, providing the opportunity for the African-American community to share various aspects of Black culture, whether food, art, writing, or entertainment.

Similarly, Al Boscov presented a Puerto Rican heritage festival in both his Reading and Lebanon stores—Lebanon being in the middle of Pennsylvania—again, bringing together the Hispanic, White, and Black communities with a theme of ''Knowing is Understanding.'' His belief that we all must take time to know each other and to take care of each other remains as one of the most important and, his family hopes, lasting legacies.

As the chairman of Boscov's, Al set new standards for successful retailing, community involvement, and civic duty. He founded and led the nonprofit Our City Reading, Inc., to assist Reading in restoring abandoned homes and to bring about a resurgence in downtown Reading. Under his leadership, more than 600 families had the opportunity to own and live in a new home. He led the efforts to equip a senior citizens center in downtown Reading. The Horizon Center provides seniors with hot meals and activities. I could go on and on, but I will not this afternoon.

It is clear from his life that he was very successful. It is also clear from his life that he gave and gave, not only to his home community of Reading, but well beyond. I know from my own personal experience what he did for northeastern Pennsylvania, for Lackawanna County, Luzerne County, and a lot of other counties as well.

So we are thinking of Al Boscov today, remembering his generosity, remembering his legacy, and remembering the many contributions he made to the Commonwealth of Pennsylvania.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Wednesday, February 15, there be 10 minutes of debate remaining, equally divided, on H.J. Res. 40; that the resolution be read a third time, and the Senate vote on passage of the joint resolution without intervening action or debate; further, that following disposition of H.J. Res. 40, there be 10 minutes of debate, equally divided, prior to a vote on the motion to invoke cloture on Executive Calendar 16, MICK MULVANEY to be the Director of the Office of Management and Budget, and if cloture is invoked, time be counted as if invoked at 1 a.m. that day.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, there will be no more votes this evening. We will have two votes tomorrow morning.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to engage in a colloquy with my colleague the senior Senator from Texas.

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

Mr. TOOMEY. Mr. President, I think a little background will be helpful. The Social Security Administration has promulgated a rule regarding when its employees should be sending names to be added to the NICS system. The NICS system is the system by which a person, when they are added to it, may not legally possess a firearm.

The rule has been finalized, but it has not yet gone into effect. It is scheduled to go into effect on December 19 this year. I wish to say, I think the rule has the right intention. Under Federal statute, the NICS Improvement Amendments Act of 2007 stipulates that every quarter each Federal agency must send to the Attorney General any information it has showing that any person is disqualified from possessing a gun.

Each agency also has the responsibility to correct or update any information it sends to the Attorney General. There is no question the Social Security Administration has a duty to send information to the NICS system.

The purpose of the rule is to send to NICS the names of individuals who are dangerously mentally ill and thus are not legally entitled to a firearm. There are some protections that are provided in this rule. For instance, under the rule promulgated by the Social Security Administration, a third party cannot get a gun owner declared mentally ill without the gun owner's knowledge or consent. Under this rule, the individual has to file a disability claim for himself or herself.

The rule provides some mechanisms for individuals to challenge their inclusion in the NICS system if they wish to do so. There is serious disagreement and confusion about some other very important aspects of this rule.

For instance, I have heard from advocates for people with disabilities. They are very concerned that the list of mental illnesses, for instance, is to too expansive and might very well sweep in people who have mental health issues but are not at all dangerous to themselves or to others.

These advocates for people with disabilities have also expressed the concern that the rule doesn't require that a medical professional actually be involved in the determination of whether a person is dangerously mentally ill.

These disability rights advocates raise the concern that an agency bureaucrat without any medical expertise could potentially add someone to the NICS system without a doctor being involved and without that person being in any way dangerous.

These advocates also argue that there is not a sufficient process for individuals who are wrongly denied their Second Amendment rights. For instance, under the rule, it appears it could take years for an individual to adjudicate this question if there was a case of mistaken identity or they were deemed to have a mental health issue that they challenged. It could take years for them to resolve. All that time they would be disqualified from owning a firearm. Even if that individual prevailed and it turned out that the Social

Security Administration had mistakenly put them in the NICS system, their legal fees would still have to be incurred by the individual, despite the fact that they had no responsibility for this.

I agree something ought to be done in this area, but I am not fully confident this rule gets it exactly right. My preferred outcome here, my ideal, would be for the Social Security Administration to produce a new rule—one that takes into account these legitimate concerns that have been raised, especially by people in the disability rights community. I would look forward to working with the Social Security Administration, and I could very well support such a rule, and I would support such a rule if they addressed these things properly.

I would further say that we have time to do this. As I mentioned earlier, while the rule has been finalized, it has not yet gone into effect. It doesn't go into effect until December 19 of this year. We have over 10 months to reconsider and get this right.

Some have suggested, wait a minute, we will never have a chance to redo this if we pass the Congressional Review Act, which repeals this rule because it will preclude the Social Security Administration from promulgating a new version of the rule.

People say that because the Congressional Review Act states that if we enact this resolution of disapproval ''a new rule that is substantially the same as such a rule may not be issued.''

It is my opinion that a new rule issued by the Social Security Administration that addresses appropriately the concerns I mentioned would certainly not be substantially the same as the current rule. It would be a very different rule. Since it would not be substantially the same, it would be permissible under the Congressional Review Act for the Social Security Administration to correct these flaws and come up with a new rule.

I want to ask the senior Senator from Texas, the majority whip and a member of the Senate Judiciary Committee, is it your opinion that if subsequent to passage of the Congressional Review Act with respect to this rule, if the Social Security Administration promulgated a new rule that met the standards I have set forth, that in that case, the new rule would not be substantially the same as the current rule and therefore would not be precluded by passage of the Congressional Review Act; is that the opinion of the Senator from Texas?

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I agree with my friend and colleague from Pennsylvania. If the Social Security Administration were to amend the rule to include the front-end due process and a finding of dangerous mental illness, that would be a fundamentally different rule that is not substantially similar.

Under the current rule, merely filing for a disability benefit on the grounds of a condition, for example, like anxiety can trigger a permanent deprivation of constitutional rights without any physician or adjudicative body finding the person is dangerously mentally ill.

I certainly agree with the concerns raised by my friend and our colleague from Pennsylvania that the rule he is describing would not be substantially similar to the rule currently in effect and that would be no bar to the Social Security Administration writing a substitute rule in accordance with the views he has expressed.

There may still be a few differences between us in terms of what exactly the rule would be, but there is no distance between us in terms of the conclusion that a replacement rule that provides for due process would not be substantially similar and would not be barred under the Congressional Review Act.

Mr. TOOMEY. I thank the Senator from Texas for joining me in this discussion. We certainly share the view about the possibility of a future different rule, and I look forward to working with the Senator from Texas as well as people at the Social Security Administration to achieve that.

Mr. President, I yield the floor.

Mr. CORNYN. 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. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. 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.

RUSSIAN ATROCITIES IN ALEPPO

Mr. LEAHY. Mr. President, we have heard a lot about President Trump's admiration of Russian President Vladimir Putin, whom most objective observers regard as a murderous thug and a kleptocrat. As we consider the President's statements lauding Putin for being a ''strong leader'' and his silence about the imprisonment and assassinations of Putin's critics and Russia's invasion of Ukraine, annexation of Crimea, and atrocities in Syria, I am reminded of the remarks delivered on December 13 by Samantha Power, former Permanent Representative to the United Nations, at the U.N. Security Council.

Ambassador Power delivered a passionate appeal to the Security Council to take action to protect civilians under assault in Aleppo, including to hold in contempt the governments of Syria, Russia, and Iran for their war crimes in Syria. Her remarks stand as a stark contrast to what we are hearing from the White House today. This is a time to condemn Vladmir Putin's aggressions against the people of Russia, of Ukraine, and of Syria—not to regard him as an example of a leader to emmulate.

It is also a time for Republicans to stand up for our own democracy, after the Russian Government, at Putin's direction, actively sought to sway the outcome of the U.S. Presidential election. The unanimous conclusion of U.S. intelligence agencies is that Putin, a former KGB agent, ordered a cyber attack on our electoral system in favor of Donald Trump. Russia's goals ''were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency.'' Yet the White House and Republican leaders in Congress have been silent, apparently unconcerned about a foreign assault on our electoral system, refusing to even support an independent investigation. Imagine what they would be saying if their candidate had lost. They would be demanding a new election and trying to shut down the government.

I ask unanmious consent that Ambassador Power's remarks be printed in the RECORD to serve as a reminder of the scale of the humanitarian disaster in Syria perpetrated by Bashar al-Assad and Vladimir Putin and our moral obligation to pursue accountability for those responsible.

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

Remarks at a UN Security Council Emergency Briefing on Syria
Ambassador Samantha Power
U.S. Permanent Representative to the United Nations
U.S. Mission to the United Nations
New York City
December 13, 2016

AS DELIVERED

Thank you. Here is what is happening right now in eastern Aleppo. Syrians trapped by the fighting are sending out their final appeals for help, or they are saying their goodbyes. A doctor named Mohammad Abu Rajab left a voice message: ''This is a final distress call to the world. Save the lives of these children and women and old men. Save them. Nobody is left. You might not hear our voice after this.'' A photographer named Ameen Al-Halabi wrote on Facebook: ''I am waiting to die or be captured by the Assad regime. Pray for me and always remember us.'' A teacher named Abdulkafi Al-Hamdo said: ''I can tweet now but I might not do it forever. Please save my daughter's life and others. This is a call from a father.'' Another doctor told a journalist: ''Remember that there was a city called Aleppo that the world erased from the map and history.''

This is what is happening in eastern Aleppo. This is what is being done by Member States of the United Nations who are sitting around this horseshoe table today. This is what is being done to the people of eastern

Aleppo, to fathers, and mothers, and sons, and daughters, brothers, and sisters like each of us here.

It is extremely hard to get information, of course, out of the small area still held by the opposition. You will hear this as an alibi as a way of papering over what video testimony, phone calls, and others are bringing us live. You will hear this invoked—that it is hard to verify. It is deliberate. The Assad regime and Russia backed by Iran using militia on the ground have done everything they can to cut off the city. So you will hear, ''well, we don't really know, maybe it's made up''—but they are hiding what is happening from the world. It would be easy for independent investigators to get in along with food, health workers, and others; but instead, the perpetrators are hiding their brutal assault from the world willfully. But consider the accounts that have made it out—so many of them—first responders describing children's voices from beneath the rubble of collapsed buildings. There are no first responders or equipment left to dig them out, and no doctors left to treat them. Bodies lying in the streets of eastern Aleppo, but no one dares collect them, for fear of getting bombed or shot to death in the process. Up to a hundred children are reportedly trapped right now, in a building under heavy fire. Terrorists. Clearly—young children—they must be terrorists because everybody being executed, everybody being barrel bombed, everybody who's been chlorine attacked, you're going to be told they are all terrorists—every last one of them, even the infants.

The regime of Bashar Al-Assad, Russia, Iran, and their affiliated militia are the ones responsible for what the UN called ''a complete meltdown of humanity.'' And they are showing no mercy:

No mercy despite their territorial conquests—even now, no mercy. In the last 24 hours alone, pro-Assad forces reportedly killed at least 82 civilians, including 11 women and 13 children.

These forces are reportedly entering homes and executing civilians on the spot, as we have heard. And according to the Office for the High Commissioner for Human Rights, foreign militias like Iraqi Harakat Al-Nujaba organization are involved in these killings. Where civilians are able to run the gauntlet and make it across the frontlines, Syrian intelligence agencies are pulling people aside and sending them away, perhaps to be gang-pressed to the front lines, likely to the same prisons where we know the Assad regime tortures and executes those in its custody.

In light of these reports, we join others, especially the Secretary-General, in one of his final appeals, reiterating our call to the Assad regime and Russia to stop their assault on Aleppo, to protect civilians. We call on Russia and Assad to allow impartial, international observers into the city to oversee the safe evacuation of the people who wish to leave, but who justifiably fear that if they try, they will be shot in the street or carted off to one of Assad's gulags.

The Assad regime and Russia appear dead set on seizing every last square inch of Aleppo by force, no matter how many innocent bodies pile up in their wake. But we keep insisting on answering the UN call for access, for safe and orderly evacuation, because we are not willing to accept that innocent men, women, and children can be butchered simply because they happen to live in a conflict area. Our shared humanity and security demands that certain rules of war hold, the most basic. And it is up to each and every one of us here to defend those rules.

To the Assad regime, Russia, and Iran—three Member States behind the conquest of and carnage in Aleppo—you bear responsibility for these atrocities. By rejecting UN-ICRC evacuation efforts, you are signaling to those militia who are massacring innocents to keep doing what they are doing. Denying or obfuscating the facts—as you will do today—saying up is down, black is white, will not absolve you. When one day there is a full accounting of the horrors committed in this assault of Aleppo—and that day will come, sooner or later—you will not be able to say you did not know what was happening. You will not be able to say you were not involved. We all know what is happening. And we all know you are involved.

Aleppo will join the ranks of those events in world history that define modern evil, that stain our conscience decades later. Halabja, Rwanda, Srebrenica, and, now, Aleppo. To the Assad regime, Russia, and Iran, your forces and proxies are carrying out these crimes. Your barrel bombs and mortars and airstrikes have allowed the militia in Aleppo to encircle tens of thousands of civilians in your ever-tightening noose. It is your noose. Three Member States of the UN contributing to a noose around civilians. It should shame you. Instead, by all appearances, it is emboldening you. You are plotting your next assault. Are you truly incapable of shame? Is there literally nothing that can shame you? Is there no act of barbarism against civilians, no execution of a child that gets under your skin, that just creeps you out a little bit? Is there nothing you will not lie about or justify?

To the members of this Council, and all Member States of the United Nations: Know that the ghastly tactics we are witnessing in Aleppo will not stop if the city falls. The regime and its Russian allies will only be emboldened to replicate their starve-and-surrender-and-slaughter tactics elsewhere. This will be their model for attempting to retake cities and towns across Syria.

It will not end with Aleppo. And it will not focus on terrorists. It never has, and there is no evidence that it will.

This is why it is so essential that each of us right here—no matter how small a country you are, no matter what your view of sovereignty, if you share our view that terrorism is one of the singular causes on earth worth fighting, it doesn't matter—you have a responsibility to denounce these atrocities. We have just heard the Secretary-General state it plainly. You have to tell those responsible that they must stop. This isn't the time for more equivocation, for self-censoring, for avoiding naming names, for diplomatic niceties of the kind that are so well-practiced here on the Council. Say who is responsible. Appeal to Moscow, to Damascus, to Tehran, that they have to stop. Use every channel you have—public, private, bankshot, through someone who knows someone. The lives of tens of thousands of Syrians still in eastern Aleppo—between 30,000–60,000 people—and hundreds of thousands more across the country who are besieged, depend on it.

I thank you.

COMMITTEE ON ARMED SERVICES

RULES OF PROCEDURE

Mr. McCAIN. Mr. President, the rules governing the procedure of the Committee on Armed Services have not changed for the 115th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator REED, 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:

UNITED STATES SENATE COMMITTEE ON ARMED SERVICES RULES OF PROCEDURE, 115TH CONGRESS

1. REGULAR MEETING DAY—The Committee shall meet at least once a month when Congress is in session. The, regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. ADDITIONAL MEETINGS—The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. SPECIAL MEETINGS—Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. OPEN MEETINGS—Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (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 below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) 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;

(b) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a 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;

(d) 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;

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

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

(2) 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

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

5. PRESIDING OFFICER—The Chairman shall preside at all meetings and hearings of the Committee except that in his absence the Ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. QUORUM—(a) A majority of the members of the Committee are required to be actually present to report a matter or measure from

the Committee. (See Standing Rules of the Senate 26.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. PROXY VOTING—Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member is being recorded and has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. ANNOUNCEMENT OF 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, unless previously announced by the Committee. 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 who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member, may hold open a roll call vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. SUBPOENAS—Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. HEARINGS—(a) Public notice shall be given of the date, place and subject matter of any hearing to be held by the Committee, or any subcommittee thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) The Chairman of the Committee or subcommittee shall consult with the Ranking Minority Member thereof before naming witnesses for a hearing.

(e) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the Chairman and the Ranking Minority Member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee. All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(f) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(g) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(h) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. NOMINATIONS—Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. REAL PROPERTY TRANSACTIONS—Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than $50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. LEGISLATIVE CALENDAR—(a) The clerk of the Committee shall keep a printed calendar for the information of each Committee member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. POWERS AND DUTIES OF SUBCOMMITTEES—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen, after consultation with Ranking Minority Members of the subcommittees, shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

RECOGNIZING NEW JERSEY'S POLICE AND FIRST RESPONDERS

Mr. BOOKER. Mr. President, today I wish to recognize and pay tribute to New Jersey's heroic police officers and first responders. Their quick and decisive actions over one tense weekend this past September helped to apprehend a suspect in three bombings in New Jersey and New York, a potential terrorist attack on American soil in which one of the three bombings alone injured 31 people in Manhattan.

As they do every day, these police officers, firefighters, and first responders worked swiftly and efficiently to protect our communities from further harm. Their courage, spirit of service, and commitment to protecting our communities ultimately helped to apprehend an individual who, according to the Federal Bureau of Investigation, was an admirer of Osama bin Laden and Anwar al Awlaki.

I greatly appreciate the efforts of the Linden, NJ, police officers who apprehended the suspect following a shootout between the suspect and law enforcement. Authorities located the suspect in Linden after a collective manhunt was organized by officers from Manhattan, Elizabeth, Linden, and communities along the Jersey Shore. A trial is now pending.

I am grateful for the close coordination of New York and New Jersey law enforcement at the municipal, county, State, and Federal levels. Everyone worked together and shared actionable intelligence in real time, which ultimately led to the capture of a suspect before more bombings could occur. This critical sharing of information, paired with the swift action of law enforcement, played a key role in preventing further casualties.

We owe a great debt of gratitude to the first responders who risk their lives each and every day for the safety of our communities. Our police officers and first responders represent the best of who we are as a nation, and we, as citizens, have an enduring responsibility to support them. As President Obama said during the hunt for the perpetrator of these bombings, ''We all have a role to play as citizens in making sure we don't succumb to that fear. And there's no better example of that than the people of New York and New Jersey.''

These American heroes answered our call when we needed them the most, and we stand together as a grateful nation in expressing our undying gratitude. Thank you.

ADDITIONAL STATEMENTS

REMEMBERING MICHAEL ''MIKE'' ILITCH

• Mr. PETERS. Mr. President, today I wish to remember Michael ''Mike'' Ilitch of Detroit, MI, founder of Little Caesars Pizza and owner of the Detroit Tigers and Detroit Red Wings. Sadly,

Mr. Ilitch passed away last week at the age of 87. Mr. Ilitch was enthusiastic about sports, passionate about the city of Detroit, and dedicated to his family.

Mr. Ilitch was born in Detroit, MI, on July 20, 1929, to Macedonian immigrants, Sotir and Sultana. After graduating from Cooley High School, Mr. Ilitch served 4 years in the U.S. Marine Corps before returning to Detroit to play minor league baseball for the Tigers. Following a knee injury, Mr. Ilitch worked as a door-to-door salesperson, selling awnings, pots, and pans, in order to save enough money to start his own business.

In 1959, Mr. Ilitch and his wife, Marian, opened their first pizza store in the Detroit suburb of Garden City: Little Caesars Pizza. While Mr. Ilitch initially named the pizzeria Pizza Treat, his wife Marian convinced him to change it to Little Caesar, her nickname for him. Over four decades, Mr. Ilitch expanded the business to approximately 4,000 stores across North America and parts of Europe. The chain became well-known for its commercial tagline, ''Pizza! Pizza!''

As Little Caesars grew to be one of the largest carryout pizza chains in the United States, Mr. Ilitch purchased the Detroit Red Wings hockey team in 1982, recognizing the great potential of a then failing team. By stocking the team with promising college players, Mr. Ilitch revitalized the Red Wings. Under Mr. Ilitch, the Red Wings won four Stanley Cup titles in 1997, 1998, 2002, and 2008, which led him to be inducted into the Hockey Hall of Fame in 2003, as well as the U.S. Hockey Hall of Fame in 2004.

In 1992, Mr. Ilitch acquired the Detroit Tigers baseball team—the same team that contracted him in the minor leagues. The Tigers reached the World Series twice under Mr. Ilitch's stewardship in 2006 and 2012.

An icon and pillar of the community, Mr. Ilitch never lost faith in the resurgence of the city of Detroit and the resilience of the people he loved so much. During the city's most challenging times, he poured his heart and passion into Detroit's renaissance. Mr. Ilitch played an active role in the community, supporting local organizations and residents. In 1987, Mr. Ilitch and his wife bought and restored the historic Fox Theater, rejuvenating the entertainment scene in downtown Detroit. He privately assisted civil rights activist, Rosa Parks, paying her rent when she moved into the Riverfront Apartments in 1994. In 2007, the U.S. Department of Veterans Affairs awarded Mr. Ilitch with the Secretary's Award for the ''Little Caesars Veteran Program,'' which provided business opportunities to nobly discharged war veterans.

As an entrepreneur, leader, and kind-hearted family man, Mr. Ilitch will be greatly missed across Michigan as he touched the lives of many people throughout the State. Mr. Ilitch is survived by his wife of 63 years, Marian; 7 children, Denise, Ron, Michael, Jr., Lisa, Atanas, Christopher, and Carole; 22 grandchildren; and 3 great-grandchildren.

I cannot express enough the impact Mr. Mike Ilitch had on the city of Detroit and the State of Michigan. He was truly a treasure to our community and an example of the American Dream. His passion, dedication, and leadership will be missed. However, I am confident his legacy will continue to inspire others to take action to strengthen the city of Detroit, the community he served with his whole heart.●

TRIBUTE TO CRADDOCK MORRIS

● Mr. SCOTT. Mr. President, today, I would like to honor and thank Mr. Craddock Morris of St. Matthews, SC for 87 years of valuable reporting in Calhoun County. The Calhoun Times, a small weekly paper in our great state, has decided to cease publication after a truly amazing run of nearly nine decades of providing town residents with community news.

The Times was created by Craddock Morris's father in 1929. John Bunyan Morris, Sr., a 1950 graduate of The Citadel, ran it until his retirement in 1956, when Craddock took over. Although this local newspaper, based in St. Matthews, will no longer be published, I am sure the Morris family's legacy of good work will remain with residents all over Calhoun County.

I would like to recognize Mr. Craddock Morris, and his son Edwin C. Morris who joined the Times after serving in the Armed Forces, and their families for 87 years of delivering essential news to the people of Calhoun County.●

MESSAGE FROM THE HOUSE

At 11:12 a.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 244. An act to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

H.R. 512. An act to amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes.

H.R. 609. An act to designate the Department of Veterans Affairs health care center in Center Township, Butler County, Pennsylvania, as the ''Abie Abraham VA Clinic''.

H.R. 974. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs, in awarding a contract for the procurement of goods or services, to give a preference to offerors that employ veterans.

The message further announced that pursuant to section 931(c) of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198), and the order of the House of January 3, 2017, the Speaker appoints the following individuals on the part of the House of Representatives to the Creating Options for Veterans' Expedited Recovery Commission: Captain John M. Rose, United States Navy, Retired, Kenosha, Wisconsin and Lieutenant Colonel Jamil S. Khan, United States Marine Corps, Retired, Janesville, Wisconsin.

The message also announced that pursuant to 20 U.S.C. 2103(b), and the order of the House of January 3, 2017, the Speaker appoints the following individual to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House of Representatives for a term of 6 years: Ms. Patricia A. Atkinson of Carson City, Nevada.

The message further announced that pursuant to section 553(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the National Commission on Military, National and Public Service: Mr. Thomas Kilgannon of Centreville, Virginia.

The message also announced that pursuant to section 3(b) of the Public Safety Officer Medal of Valor Act of 2001 (42 U.S.C. 15202), and the order of the House of January 3, 2017, the Speaker appoints the following individuals on the part of the House of Representatives to the Medal of Valor Review Board for a term of 4 years: Mr. Brandon Clabes of Choctaw, Oklahoma and Mr. Brian Murphy of Milwaukee, Wisconsin.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), amended, and the order of the House of January 3, 2017, the Speaker appoints the following individuals on the part of the House of Representatives to the United States-China Economic and Security Review Commission for a term expiring on December 31, 2018: Mr. Larry Wortzel of Williamsburg, Virginia and Mr. Robert Glenn Hubbard of New York, New York.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 244. An act to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 512. An act to amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 609. An act to designate the Department of Veterans Affairs health care center in Center Township, Butler County, Pennsylvania, as the ''Abie Abraham VA Clinic''; to the Committee on Veterans' Affairs.

H.R. 974. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs, in awarding a contract for the procurement of goods or services, to give a preference to offerors that employ veterans; to the Committee on Veterans' Affairs.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Army nominations beginning with Jeremy D. Karlin and ending with Iraham A. Sanchez, which nominations were received by the Senate and appeared in the Congressional Record on January 9, 2017.

Navy nomination of Mathew M. Lewis, to be Lieutenant Commander.

(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. HATCH (for himself, Mrs. FEINSTEIN, Mr. TILLIS, and Mr. MANCHIN):

S. 367. A bill to amend section 3606 of title 18, United States Code, to grant probation officers authority to arrest hostile third parties who obstruct or impede a probation officer in the performance of official duties; to the Committee on the Judiciary.

By Mr. FLAKE:

S. 368. A bill to require the Director of the United States Fish and Wildlife Service to issue a scientifically valid and State-supported recovery plan for the Mexican gray wolf; to the Committee on Environment and Public Works.

By Ms. BALDWIN (for herself and Mr. TILLIS):

S. 369. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs, in awarding a contract for the procurement of goods or services, to give a preference to offerors that employ veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRUZ (for himself, Mr. LEE, Mr. PAUL, Mr. INHOFE, and Mr. ROUNDS):

S. 370. A bill to eliminate the Bureau of Consumer Financial Protection by repealing title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly known as the Consumer Financial Protection Act of 2010; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORKER:

S. 371. A bill to make technical changes and other improvements to the Department of State Authorities Act, Fiscal Year 2017; to the Committee on Foreign Relations.

By Mr. PORTMAN (for himself, Ms. KLOBUCHAR, Mr. RUBIO, and Ms. HASSAN):

S. 372. A bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 373. A bill to require the Secretary of Defense to submit to Congress a report on hearing loss, tinnitus, and noise pollution due to small arms fire; to the Committee on Armed Services.

By Mr. BLUNT (for himself and Mr. NELSON):

S. 374. A bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. BOOZMAN, Mr. CRAPO, Mr. FLAKE, Mr. ROBERTS, and Mr. WICKER):

S. 375. A bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. CRAPO, Mr. DAINES, Mr. FLAKE, and Mr. ROBERTS):

S. 376. A bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. KAINE, and Mr. GARDNER):

S. 377. A bill to amend the Trafficking Victims Protection Act of 2000 to clarify report dates, modify the criteria for determinations of whether countries are meeting the minimum standards for elimination of trafficking, and highlight the importance of concrete actions by countries to eliminate trafficking, and for other purposes; to the Committee on Foreign Relations.

By Mr. BARRASSO (for himself, Mr. GRASSLEY, Mr. FLAKE, Mr. RISCH, and Mr. ENZI):

S. 378. A bill to amend titles 5 and 28, United States Code, to require the maintenance of databases on awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 94

At the request of Mr. CARDIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 94, a bill to impose sanctions in response to cyber intrusions by the Government of the Russian Federation and other aggressive activities of the Russian Federation, and for other purposes.

S. 203

At the request of Mr. BURR, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Arkansas (Mr. COTTON) 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. 234

At the request of Mr. DONNELLY, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 234, a bill to provide incentives for businesses to keep jobs in America.

S. 242

At the request of Mr. CASSIDY, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 242, a bill to amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes.

S. 243

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 243, a bill to provide for a permanent extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals.

S. 247

At the request of Ms. STABENOW, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 247, a bill to provide an incentive for businesses to bring jobs back to America.

S. 251

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of 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.

S. 253

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. COONS), the Senator from Michigan (Ms. STABENOW) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 266

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of 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.

S. 268

At the request of Mr. YOUNG, the name of the Senator from Arkansas

(Mr. COTTON) was added as a cosponsor of 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.

S. 272

At the request of Mr. SCHATZ, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of 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.

S. 301

At the request of Mr. LANKFORD, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 301, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 324

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S.J. RES. 8

At the request of Mr. UDALL, the name of the Senator from Indiana (Mr. DONNELLY) 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. 16

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. BOOZMAN, Mr. CRAPO, Mr. FLAKE, Mr. ROBERTS, and Mr. WICKER):

S. 375. A bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements; to the Committee on Environment and Public Works.

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. 375

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITIONS.

Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended—

(1) by redesignating—

(A) paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(B) paragraphs (5) through (10) as paragraphs (7) through (12), respectively; and

(C) paragraphs (12) through (21) as paragraphs (13) through (22), respectively;

(2) by adding before paragraph (2) (as so redesignated) the following:

''(1) AFFECTED PARTIES.—The term 'affected party' means any person, including a business entity, or any State, tribal government, or local subdivision the rights of which may be affected by a determination made under section 4(a) in a suit brought under section 11(g)(1)(C).''; and

(3) by adding after paragraph (5) (as so redesignated) the following:

''(6) COVERED SETTLEMENT.—The term 'covered settlement' means a consent decree or a settlement agreement in an action brought under section 11(g)(1)(C).''.

SEC. 2. INTERVENTION; APPROVAL OF COVERED SETTLEMENT.

Section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540) is amended—

(1) in paragraph (3), by adding at the end the following:

''(C) PUBLISHING COMPLAINT; INTERVENTION.—

''(i) PUBLISHING COMPLAINT.—

''(I) IN GENERAL.—Not later than 30 days after the date on which the plaintiff serves the defendant with the complaint in an action brought under paragraph (1)(C) in accordance with Rule 4 of the Federal Rules of Civil Procedure, the Secretary of the Interior shall publish the complaint in a readily accessible manner, including electronically.

''(II) FAILURE TO MEET DEADLINE.—The failure of the Secretary to meet the 30-day deadline described in subclause (I) shall not be the basis for an action under paragraph (1)(C).

''(ii) INTERVENTION.—

''(I) IN GENERAL.—After the end of the 30-day period described in clause (i), each affected party shall be given a reasonable opportunity to move to intervene in the action described in clause (i), until the end of which a party may not file a motion for a consent decree or to dismiss the case pursuant to a settlement agreement.

''(II) REBUTTABLE PRESUMPTION.—In considering a motion to intervene by any affected party, the court shall presume, subject to rebuttal, that the interests of that party would not be represented adequately by the parties to the action described in clause (i).

''(III) REFERRAL TO ALTERNATIVE DISPUTE RESOLUTION.—

''(aa) IN GENERAL.—If the court grants a motion to intervene in the action, the court shall refer the action to facilitate settlement discussions to—

''(AA) the mediation program of the court; or

''(BB) a magistrate judge.

''(bb) PARTIES INCLUDED IN SETTLEMENT DISCUSSIONS.—The settlement discussions described in item (aa) shall include each—

''(AA) plaintiff;

''(BB) defendant agency; and

''(CC) intervenor.'';

(2) by striking paragraph (4) and inserting the following:

''(4) LITIGATION COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the court, in issuing any final order in any suit brought under paragraph (1), may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such award is appropriate.

''(B) COVERED SETTLEMENT.—

''(i) CONSENT DECREES.—The court shall not award costs of litigation in any proposed covered settlement that is a consent decree.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement does not include payment to any plaintiff for the costs of litigation.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) if the covered settlement includes payment to any plaintiff for the costs of litigation.''; and

(3) by adding at the end the following:

''(6) APPROVAL OF COVERED SETTLEMENT.—

''(A) DEFINITION OF SPECIES.—In this paragraph, the term 'species' means a species that is the subject of an action brought under paragraph (1)(C).

''(B) IN GENERAL.—

''(i) CONSENT DECREES.—The court shall not approve a proposed covered settlement that is a consent decree unless each State and county in which the Secretary of the Interior believes a species occurs approves the covered settlement.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) unless the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

''(C) NOTICE.—

''(i) IN GENERAL.—The Secretary of the Interior shall provide each State and county in which the Secretary of the Interior believes a species occurs notice of a proposed covered settlement.

''(ii) DETERMINATION OF RELEVANT STATES AND COUNTIES.—The defendant in a covered settlement shall consult with each State described in clause (i) to determine each county in which the Secretary of the Interior believes a species occurs.

''(D) FAILURE TO RESPOND.—The court may approve a covered settlement or grant a motion described in subparagraph (B)(ii)(II) if, not later than 45 days after the date on which a State or county is notified under subparagraph (C)—

''(i)(I) a State or county fails to respond; and

''(II) of the States or counties that respond, each State or county approves the covered settlement; or

''(ii) all of the States and counties fail to respond.

''(E) PROOF OF APPROVAL.—The defendant in a covered settlement shall prove any State or county approval described in this paragraph in a form—

''(i) acceptable to the State or county, as applicable; and

''(ii) signed by the State or county official authorized to approve the covered settlement.''.

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. CRAPO, Mr. DAINES, Mr. FLAKE, and Mr. ROBERTS):

S. 376. A bill to amend the Endangered Species Act of 1973 to require

publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes; to the Committee on Environment and Public Works.

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. 376

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 ''21st Century Endangered Species Transparency Act''.

SEC. 2. REQUIREMENT TO PUBLISH ON INTERNET BASIS FOR LISTINGS.

Section 4(b) of the Endangered Species Act (16 U.S.C. 1533(b)) is amended by adding at the end the following:

''(9) PUBLICATION ON INTERNET OF BASIS FOR LISTINGS.—The Secretary shall make publicly available on the Internet the best scientific and commercial data available that are the basis for each regulation, including each proposed regulation, promulgated under subsection (a)(1), except that, at the request of a Governor or legislature of a State, the Secretary shall not make available under this paragraph information regarding which the State has determined public disclosure is prohibited by a law of that State relating to the protection of personal information.''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. Mr. President, I have four 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 14, 2017, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on February 14, 2017, at 10 a.m., in order to conduct a hearing entitled ''The Semiannual Monetary Policy Report to Congress.''

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, February 14, 2017, from 2 p.m. to 3:30 p.m., in room SH–219 of the Senate Hart Office Building.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 14, 2017, at 2:30 p.m.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that floor privileges be granted this Congress for Darren Dodd, a detailee from the U.S. Secret Service, and Saleela Salahuddin, a detailee from the Department of Justice.

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

PROMOTING WOMEN IN ENTREPRENEURSHIP ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 5, H.R. 255.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 255) to authorize the National Science Foundation to support entrepreneurial programs for women.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 255) was ordered to a third reading, was read the third time, and passed.

INSPIRE WOMEN ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 6, H.R. 321.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 321) to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 321) was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

ORDERS FOR WEDNESDAY, FEBRUARY 15, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, February 15; 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. 40, as under the previous order.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:59 p.m., adjourned until Wednesday, February 15, 2017, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate February 14, 2017:

SMALL BUSINESS ADMINISTRATION

LINDA E. MCMAHON, OF CONNECTICUT, TO BE ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION.

EXTENSIONS OF REMARKS

IN HONOR OF CHIEF WARRANT OFFICER FIVE MARY A. HOSTETLER

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PANETTA. Mr. Speaker, I rise today to congratulate Chief Warrant Officer Five Mary A. Hostetler on her retirement from the United States Army Reserve and to recognize the tremendous contributions of her 40 years of service to our Central Coast and country.

Chief Hostetler has a special connection to the Central Coast, receiving degrees from Monterey Peninsula College and the University of California, Santa Cruz. She has also worked as a Supervisory Criminal Investigator for the Presidio of Monterey and as a Police Officer for the Seaside and Sand City Police Departments, all located in my congressional district.

In 2003, Chief Hostetler deployed for the first time to Iraq. There, she provided security to the Presidential Envoy to Iraq, L. Paul Bremer. Not only was this her first deployment, but she also distinguished herself as the first woman to provide protective services in a combat zone.

After her deployment to Iraq, she served as the team officer in charge of the protective detail for former Secretary of Defense Leon Panetta, my father. Her service to my family is greatly appreciated by my parents, my two brothers and me. There is nothing more awe inspiring than public servants who are willing to place themselves in harm's way for the protection of others. I know my family joins me in commending Mary for her forty years of public service to our nation, and wishing her the very best for a well-deserved retirement.

RECOGNIZING VIRGINIA GOLDEN FOR HER COMMITMENT TO SERVICE AND VOLUNTEERISM IN THE CITY OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Mrs. Virginia Golden, a dedicated volunteer and resident of Buffalo, New York. Virginia's tireless service is recognized today by None Like You/We Care Outreach and the City of Buffalo.

Virginia is a graduate of the State University of New York at Buffalo and is a proud mother and grandmother. Virginia worked for 37 years as a human service provider at various agencies and retired as the director of rehabilitative service at an adult residence program.

Mrs. Golden is a member of a number of organizations in the Buffalo community and is an active advocate for the beautification of the community, environmental justice and adult education. She volunteers her time tutoring and educating those in low income communities. She had shown her devotion to education by working with youth over the summer and with the None Like You/We Care Outreach program to improve their reading and writing skills and helps students who want to attend college.

Virginia is a member of the None Like You Community Outreach board and volunteers to improve the quality of life in our community by aiding in the conversion of empty lots into gardens and clean green space, turning abandoned houses into homes, and working on clean-up initiatives with local colleges. She's worked with United Way and their Day of Care project for the past 7 years and is an active member of the Clean Air Coalition and Neighbors and Friends Fighting for Justice.

Mr. Speaker, I honor Mrs. Virginia Golden and her admirable dedication to the City of Buffalo. Her commitment to education and the rehabilitation of the community is exceptional, and she is most deserving of this recognition by None Like You/We Care and the City of Buffalo.

PERSONAL EXPLANATION

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. RUSH. Mr. Speaker, on February 13 through 16, 2017, circumstances beyond my control necessitated my absence from the House and I, therefore, am requesting a leave of absence from the House.

IN HONOR OF KATHY McLAUGHLIN'S SERVICE TO HER COMMUNITY

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. GOSAR. Mr. Speaker, today I would like to recognize Ms. Kathy McLaughlin of Prescott, Arizona. Kathy is an accomplished and respected former law enforcement officer whose career has resulted in a series of firsts for women serving on the force in Arizona. Her distinguished service is deserving of all of our admiration.

Kathy's career in law enforcement began in 1977, when she was hired as Yavapai County's first female fulltime patrol deputy. She excelled in the role. Having proven her place on the force, she was transferred in 1987 to Black Canyon City and promoted to sergeant. This promotion provided Kathy the second first of her career, as no other woman had served as a patrol supervisor in Black Canyon City until then. In 1998, while stationed in Prescott, Kathy was promoted to Lieutenant. Kathy prioritized community engagement and trust while in the line of duty, a necessity in smaller, rural communities. She played a key role in the introduction and implementation of Yavapai County's Volunteers in Protection program in 1994, which to this day recruits qualified and trained citizen volunteers to participate in uniformed patrols.

Following her service on the police force, Kathy transitioned to serving as the Executive Director of the Arizona Child and Family Advocacy Network. Kathy's track record of excellence continued on into this role, which she held until her retirement last year. From her position at the helm of the Network, Kathy leveraged her organizational abilities and her tremendous compassion for the plight of victims of sexual and physical abuse to deliver resources and training to advocacy centers across Arizona. Kathy and her amazing career serve as a beacon of civic duty and care for one's community, and I sincerely appreciate the opportunity to recognize her today.

REMEMBERING THOMAS O'CONNOR

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. FARENTHOLD. Mr. Speaker, I rise today to honor the life and legacy of a great fourth-generation Texan, Thomas Marion O'Connor of Victoria, Texas, who passed away recently at the age of 94.

Like his family before him who settled in Refugio County in the 1800s, Mr. O'Connor was a true Texan, a cattleman and a devout Catholic. He lived his life with gusto, practicing exemplary land stewardship, philanthropy and commitment to his community—traits he passed on to his children and grandchildren. He was also an American hero, serving during World War II in the United States Army Air Corps, the precursor to the United States Air Force.

Mr. O'Connor was well known in the community for his philanthropic endeavors, providing support to the church, the arts, schools, local health care systems and more. He was a leader in the community and an active board member for many different groups representing broad interests like agriculture, banking and education. He leaves behind a loving family of children, grandchildren and great-grandchildren who share his love for community and spirit. I offer my condolences to his family. Mr. O'Connor will be missed.

THE ABO GROUP

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize The Abo Group, Inc. for

being honored as the Minority-Owned Business of the Year by the West Chamber of Commerce.

The Abo Group is a full service architectural firm providing design, project management, construction documentation and administration, historic preservation, space planning, master planning and facility assessments. Earning wide recognition for sustainable design, the firm incorporates the highest possible energy efficiency technologies in their designs.

For more than 20 years, The Abo Group has designed highly specialized laboratories to meet LEED ''Gold'' standards at the National Renewable Energy Laboratory (NREL) in Golden, CO. In 1999, the Thermal Test Facility at NREL won the ASHRAE Award of Excellence for Energy Efficient Design. The firm has also completed a Master Plan for the ultimate buildout of NREL's South Table Mountain Campus in Golden.

I extend my deepest congratulations to The Abo Group for this well-deserved honor from the West Chamber of Commerce.

CELEBRATING THE LIFE OF FORMER REPRESENTATIVE ROBERT GARCIA

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. SERRANO. Mr. Speaker, I rise to pay tribute to a good friend and colleague, Mr. Robert Garcia, better known as ''Bobby,'' who passed away on January 25, 2017. Bobby was an influential leader and trailblazer in New York, first serving the people of the South Bronx as a representative in the New York State Assembly and as the first Puerto Rican in the New York State Senate. His decade-long career in the U.S. House of Representatives began when he was elected to Congress in a special election on February 14, 1978 on the Republican and Liberal tickets to fill the vacancy caused by the resignation of Congressman Herman Badillo. He took his seat on February 21, 1978 as a Democrat.

Bobby played an instrumental role in several local, national, and international initiatives and served New York for more than 25 years. His legacy of public service will not be forgotten.

Bobby was born in the Bronx in 1933 to Puerto Rican parents. His dedication to serving his country was demonstrated at a young age when he served overseas during the Korean War in the U.S. Army's Third Infantry, earning two Bronze stars. He attended college under the GI Bill, and then began a career in public service.

Bobby's political career is highlighted by his dedication to fight against inequality, intolerance and injustice. He worked on issues such as immigration reform, voting rights, Puerto Rico, economic opportunities, and U.S. policy towards Central America. Representing the South Bronx, Bobby is remembered as a significant reformer and a leader for those whose voices were too often lost. While in Congress, Bobby served on the Banking, Finance and Urban Affairs Committee and the Foreign Affairs Committee. He also sat on the Post Office and Civil Service Committee, where he championed the Garcia Amendment to the Civil Service Reform Act of 1978 to ensure the recruitment of minorities for the civil service.

During his time in Congress, Bobby was a co-founder of the Congressional Hispanic Caucus, which allowed the Hispanic community to gain national recognition in Congress and helped develop young Latinos to be the next generation of leaders in America. In addition, he co-sponsored the bill establishing a national holiday to commemorate the life of civil rights hero Martin Luther King, Jr.

Bobby also advocated to transform the South Bronx district through federal funding, jobs and projects. He co-authored the Kemp-Garcia Enterprise Free Zone Bill as an initiative to attract businesses to areas faced with severe depression, unemployment, and poverty.

Bobby also had a profound respect for and a deep understanding of religious and spiritual development for others, and was active in several Christian organizations.

Bobby received numerous awards and recognition for his pioneering work and was an outstanding citizen, a transformational leader in New York, and an important voice for the Hispanic community. Garcia was a pioneer and a legend in the Latino community, and those that knew him will never forget him. Mr. Speaker, I ask my colleagues to join me in honoring our former colleague, Robert Garcia, for his service, leadership, and accomplishments. He will be greatly missed.

CONGRATULATING DONNA GORITY ON RECEIVING THE 2017 RESPECTED CITIZEN AWARD

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate Donna Gority on receiving the Central Blair Recreation and Park Commission's (CBRC) Respected Citizen Award for 2017.

This is not the first time I have had the honor to congratulate Mrs. Gority. I had the privilege of congratulating her on her retirement in 2012 for 28 accomplished years in public office. Mrs. Gority, the first female member of the Blair County Board of Commissioners, is well known in central Pennsylvania for her extensive track record of dedicated service, advocating strongly for children and human services, and being a loud voice for the citizens of Blair County on all community issues.

Mr. Speaker, I am proud to say that Donna, in her usual manner, has not slowed down. In fact, Mike Hofer, the Executive Director of the CBRC, said that it is possible Donna may be busier now since before her retirement in 2012. This example set by Donna is one we all should strive for. Her willingness to serve her community and Pennsylvania, especially as a private citizen, sets her apart as an outstanding individual and I am honored to represent her in the United States Congress.

Mrs. Gority will be honored February 25, 2017 with the Respected Citizen Award by the Central Blair Recreation and Park Commission at the 8th Annual Community Classic Dinner and Auction at the Bavarian Hall in Altoona. I congratulate Donna and her family on this recognition, and thank her for her extraordinary contributions to the community. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Donna for this achievement and wishing her nothing but continued success.

EMAIL PRIVACY ACT

SPEECH OF

HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 6, 2017

Mr. JOHNSON of Georgia. Mr. Speaker, I stand in strong support to H.R. 387, the Email Privacy Act.

Enacting the amendments outlined in this bill will provide a much needed update to the Electronic Communication Privacy Act of 1986 (ECPA). ECPA paved the way for protecting the rapidly advancing field of electronic communications. Although this law made headway in assuring the privacy of the telecommunications of Americans, electronic communications have far outpaced the current regulation.

The provisions of the Email Privacy Act reaffirm the rights granted Americans by the Fourth Amendment. Citizens should not be subjected to unlawful search and seizure of their private property. The communications of Americans are personal and private and must be treated as such by our government. H.R. 387, however, recognizes that circumstances may require law enforcement to move quickly and require access to electronic communications. Preserving law enforcement's ability to preserve records, to delay notification to subscribers that a warrant is out for their data, and by requiring timely responses to warrants reflects the security concerns expressed during the Judiciary Committee markup. Ensuring law enforcement has probable cause in order to access stored email, texts, and photos, while also providing the above exceptions and flexibility to the rule balancing the needs of law enforcement and public safety with the right to individual privacy.

Calls for reform have come from both sides of the aisle. Upholding the Fourth Amendment is not a partisan issue and I am overjoyed to see my colleagues from both parties standing by this bill. Failing to pass the Email Privacy Act endangers the principal values of our Republic. Our constituents have entrusted us, not only as their Representatives, but as defenders of the Constitution and the rights of all Americans.

The passage of the Electronic Communications Privacy Act will engender confidence in both law enforcement and privacy laws as Americans will know their emails will only be accessed if there is cause. I strongly urge my colleagues to vote Yes on the resolution.

RECOGNIZING YURI HRESHCHYSHYN FOR HIS COMMITMENT TO SERVICE AND VOLUNTEERISM IN THE CITY OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Mr. Yuri Hreshchyshyn,

a friend and a dedicated volunteer and resident of Buffalo, New York. Yuri's tireless service is recognized today by None Like You/ We Care Outreach and the City of Buffalo.

Yuri is a South Buffalo resident who has been a committeeman for the Erie County Democratic Committee, a member of the Buffalo Cooperative Federal Credit Union and the Buffalo Central Terminal, and has worked for the Erie County Department of Social Services.

Mr. Hreshchyshyn has worked with multiple community partners including None Like You/ We Care Outreach, Buffalo State College, the University at Buffalo and Canisius College. He worked on many projects in the West Side and East Side communities planting trees, helping to build community gardens and cleaning city lots. Yuri has given his time and talents to the community youth by teaching them how to cut grass and trim trees and bushes. Yuri has dedicated much of his time to maintain the building and grounds of the Buffalo Central Terminal. During the holiday season, Yuri has been a tremendous help with the Thanksgiving Dinner and Christmas giveaway for over 12 years.

Mr. Speaker, I honor Mr. Yuri Hreshchyshyn and his admirable dedication to the City of Buffalo and the aesthetics of our community. Yuri's commitment to his City is exceptional, and he is most deserving of this recognition by None Like You/We Care and the City of Buffalo.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call votes 86 and 87 on Monday, February 13, 2017. Had I been present, I would have voted "Yea" on roll call votes 86 and 87.

PERSONAL EXPLANATION

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. McCAUL. Mr. Speaker, on February 13, 2017, I missed the voting session. If present, I would have voted as follows:

YES—H.R. 244—HIRE Vets Act, as amended

YES—H.R. 974—BRAVE Act

JIM AND KATHLEEN CURTIS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Jim and Kathleen Curtis for being honored by the West Chamber of Commerce with the Steve Burkholder Diamond Legacy Award.

Both Colorado natives, Jim and Kathleen (Kate) met at Colorado National Bank and went on to marry in 1972. After leaving the bank in 1994, the couple purchased The Village Roaster, a specialty coffee business in Lakewood. At the time, it was the only store in the Colorado area that roasted specialty coffee in-house. Today that tradition continues with roasted whole bean coffee as their number one selling product. They also provide catering services and have a mobile espresso bar they can set up for any type of event in the Denver metro area. In addition, The Village Roaster strives to make sustainability a focus and preserving the environment a priority.

Jim and Kate support the community that supports them. Jim served as the Chairman of the Board of Directors for the West Chamber in 2013, is a past president of the Kiwanis Club of Lakewood, is a sponsor for the Catch a Calf program with the National Western Stock Show, and volunteers for the Lakewood Police Department. Jim was selected for the Real Men Who Wear Pink recognition by the American Cancer Society in 2016.

Kate serves as the Foundation Chair for St. Anthony Hospital, sits on the board for the Alameda Gateway, and as the Secretary for the Alameda Corridor Business Improvement District. She was recognized at the West Chamber's Celebrate Women event in 2011. Both Jim and Kate serve as deacons for St. James Presbyterian Church.

I extend my deepest congratulations to Jim and Kathleen Curtis for this well-deserved honor from the West Chamber of Commerce.

PERSONAL EXPLANATION

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, yesterday I missed roll call vote No. 86 and 87 on the floor of the House of Representatives. Had I been present, I would have voted yea on both bills.

PERSONAL EXPLANATION

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. DELANEY. Mr. Speaker, I was unable to cast my vote on roll calls No. 86 and No. 87. Had I been present to vote on roll call No. 86, I would have voted Aye. Had I been present to vote on roll call No. 87, I would have voted Aye.

PERSONAL EXPLANATION

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Ms. PINGREE. Mr. Speaker, on Roll Call Vote 77 to H.J. Res 40 which took place on February 2, 2017, I was not present. It was my intention to vote No on that resolution.

DANIEL D. BIGANDT AGENCY WITH AMERICAN FAMILY INSURANCE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize The Daniel D. Bigandt Agency with American Family Insurance for being honored as the Small Business of the Year by the West Chamber of Commerce.

The Daniel D. Bigandt Agency with American Family Insurance was established in 2002 in Lakewood. The agency now serves more than 2,000 households in the Denver metro area, with a majority in Jefferson and Denver counties.

At the beginning of 2016, the agency started the year with one full-time employee and 4 part-time employees at one location in Lakewood. At the end of 2016, the agency had grown to 4 full-time and several part-time staff members with two locations, one in Lakewood and one in Englewood. Over the last 15 months, the agency has been awarded many sales and service awards.

Dan Bigandt is deeply involved in the community and has been an active member of the West Chamber for the last nine years. Dan is also involved in the leadership of other organizations in Jefferson County, serving as the Board Vice Chair for the Sooper Credit Union and as a Board Member of the Panorama Ridge Homeowners Association. Recently, Dan finished serving for 12 years on the Board of Directors for Front Range Christian School in Littleton.

I extend my deepest congratulations to The Daniel D. Bigandt Agency with American Family Insurance for this well-deserved honor from the West Chamber of Commerce.

RECOGNIZING MARY ROSS FOR HER COMMITMENT TO SERVICE AND VOLUNTEERISM IN THE CITY OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Mrs. Mary Ross, a dedicated volunteer and resident of Buffalo, New York. Mary's tireless service is recognized today by None Like You/We Care Outreach and the City of Buffalo. Mary is the proud mother of six children and four grandchildren who reside in Buffalo.

Mary has worked as a counselor for eleven years for the Buffalo Public Schools. She is also an active member of the Women and Children's Foundation Board, Bison Fund Board, Olmstead Parks Conservancy Board, None Like You/We Care Outreach and the Bison's Children's Scholarship Fund. Mary is instrumental in various projects throughout the city of Buffalo including Thanksgiving Dinners, Christmas Giveaways and community garden projects.

Mary has a strong passion for the youth of Buffalo and is always willing to help them in regards to furthering their education, athletics, and employment. She is always eager to help

them by driving them places, feeding them, making sure they have warm clothing. Mary also advises students and youth for court matters. Her dream is to see every child have the opportunity to be successful in whatever they want to do in life and it is clear in her day to day actions that she is dedicated to this dream.

Mr. Speaker, I honor Mrs. Mary Ross and her admirable dedication to the City of Buffalo and the youth of our community. Mary's commitment is exceptional, and she is most deserving of this recognition by None Like You/ We Care Outreach and the City of Buffalo.

RECOGNIZING THE WOMEN PORTRAYED IN HIDDEN FIGURES—DR. KATHERINE GOBLE JOHNSON, DOROTHY VAUGHAN, AND MARY JACKSON

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. SCOTT of Virginia. Mr. Speaker, I rise today on behalf of myself and Representatives ROBERT WITTMAN, DONALD MCEACHIN, and SCOTT TAYLOR to honor Dr. Katherine Goble Johnson, Dorothy Vaughan, and Mary Jackson, an extraordinary group of women from Hampton Roads, Virginia recently featured in the critically acclaimed and Oscar-nominated film Hidden Figures. Tomorrow evening, Senators WARNER, KAINE, and BROWN are joining me in hosting a screening of Hidden Figures here at the United States Capitol. I would like to take a moment to recognize the accomplishments of the remarkable women depicted in this film

Breaking down barriers of both gender and race at the National Aeronautics and Space Administration, these women, and many like them, laid the groundwork for John Glenn to become the first American to orbit the earth, and for Neil Armstrong to walk on the moon. I am proud that their stories are reaching a wider audience.

Though she began her career as an educator, in her 28 years working for the National Aeronautics and Space Administration and the National Advisory Committee for Aeronautics (the forerunner to NASA) Dorothy Vaughan helped pave the way for the diverse workforce and leadership NASA enjoys today. Beginning at NACA Langley in 1943, Mrs. Vaughan was assigned to an all-black computer pool. By 1949, she was the Section Head of her group, becoming NACA's first black supervisor and one of NACA's first female supervisors. Mrs. Vaughan was one of the first to master computer programming and said that she felt like her work at NASA Langley put her on "the cutting edge of something very exciting."

While she broke barriers at NACA, Mrs. Vaughan also took an active role in her community as a member of Alpha Kappa Alpha Sorority, Inc. and a longtime member of St. Paul AME Church of Newport News.

Early on, Dr. Katherine Goble Johnson showed that she was an exceptionally bright young woman. Graduating high school at 14 and college at 18, Dr. Johnson worked as an educator before relocating to Newport News where, in 1953, she began her work at NASA Langley. She too was assigned to an all-black computer pool. Within weeks of her entry in the NASA ranks, Dr. Johnson was asked to temporarily assist in the Spacecraft Dynamics Branch in the Flight Dynamics and Control Division. She never left. There, she became known for her knowledge, accuracy and contributions in providing trajectories necessary to successful spaceflight.

Dr. Johnson has been the recipient of numerous awards throughout her 33 year career with NASA, and was recently awarded the Presidential Medal of Freedom by President Barack Obama. A leader in her community, Dr. Johnson has served as President of the Lambda Omega Chapter of the Alpha Kappa Alpha Sorority, Inc. and as a Trustee and Elder at Carver Memorial Presbyterian Church in Newport News, Virginia, where she continues to be a dedicated member.

Mary Jackson was born and raised in Hampton, Virginia, and attended the Hampton Institute, now Hampton University. She too was an educator prior to joining NASA, and after a circuitous journey found her way to NASA Langley working as a mathematician in 1951, reporting to Dorothy Vaughan. Following additional math and physics work at previously segregated Hampton High School, Mrs. Jackson became NASA's first black female engineer in 1958.

An accomplished mathematician, she remained committed to ensuring that NASA's female professionals had the opportunity to succeed and finished her 34 year career as Langley's Federal Women's Program Manager working to hire and mentor NASA's next generation of leaders.

Mrs. Jackson kept active in her community, as a member of Bethel AME Church in Hampton, the Newport News-Hampton Chapter of the Continental Societies, Inc., and Alpha Kappa Alpha Sorority, Inc.

Mr. Speaker, I would like to thank Margot Lee Shetterly, author of Hidden Figures, for shining a spotlight on the remarkable story of these women. As the daughter of a NASA Langley scientist, Mrs. Shetterly was surely steeped in the accomplishments of these great women growing up. I would also like to thank Theodore Melfi, director of the film, actors Octavia Spencer, who played Dorothy Vaughan, Janelle Monae, who played Mary Jackson, and Taraji P. Henson, who played Katherine Johnson, and all others who played a part in telling these women's stories on the silver screen.

Mr. Speaker, I am proud that the stories of these exceptional women are no longer hidden. It is my hope that this film will help inspire the next generation of leaders to challenge themselves and to strive to break through any bathers they may face.

IN RECOGNITION OF THE LOUDOUN ABUSED WOMEN'S SHELTER

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mrs. COMSTOCK. Mr. Speaker, I am honored to use this time to recognize a local nonprofit organization in Virginia's 10th Congressional District that has strengthened our Loudoun community for over 30 years by helping families in need. The Loudoun Abused Women's Shelter (LAWS), founded in 1984 under the name Loudoun Citizens for Social Justice, Inc., opened as a shelter where women and children fleeing domestic violence could find refuge. Since then, LAWS has grown immensely and now provides a plethora of different services to victims of sexual and domestic violence.

Aside from providing emergency shelter, LAWS now also offers counseling, a 24-hour hotline, legal services, support groups, community outreach, and even operates a thrift store in Leesburg called the Resourceful Woman. LAWS now has 30 employees, 75 volunteers, and a diverse Board of Directors, led by my constituent Nicole Acosta, from Purcellville, Virginia, all dedicated to eliminating personal and societal violence. Ms. Acosta started as a volunteer many years ago and her vision and dedication led to her employment by the organization in 2012 as the Executive Director. Since joining the board, she has championed efforts to not only expand the organization but also enhance its governance and oversight operations to the great benefit of Loudoun County.

In 1984, three women founded LAWS with a total of $3,000 of donations, but today the organization, hosting several annual fundraisers and events, has morphed into a multimillion dollar non-profit. One reoccurring event which has garnered a great deal of popularity as a result of diligent staff and volunteering planning is the yearly Martini Matters event. It is fun, forward thinking community events, like Martini Matters, that have helped the organization thrive tremendously over the years.

Each year LAWS helps over 1,000 women and children lead better lives without fear and anxiety through their various services, and I am grateful to have such a prominent and resourceful organization in the 10th district. Mr. Speaker, I ask my colleagues to join me in applauding LAWS for its dedication to serving our community for so many years. I wish Ms. Acosta and the entire organization the best in their future endeavors.

CITYWIDE BANKS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Citywide Banks for being honored as the Medium Business of the Year by the West Chamber of Commerce.

Citywide Banks is an independent, family owned business that has been focused on moving the Front Range community forward for more than 50 years. With client needs as their focus, they have created a unique banking culture that continues to benefit their clients as well as their employees and the broader Colorado community.

This local focus means their customers' deposits stay in Colorado and get reinvested to help our community move forward. They work to help Colorado companies grow, ensure Coloradans' financial assets are protected, and give a hand-up to our neighbors in need. Citywide Banks provides local businesses equipment financing, lines of credit, construction loans and treasury management products to help simplify cash flow operations, strengthen fraud protection and maximize the earning power of their deposits.

I extend my deepest congratulations to Citywide Banks for this well-deserved honor from the West Chamber of Commerce.

HONORING THE LIFE OF CONGRESSMAN ROBERT GARCIA

HON. JENNIFFER GONZÁLEZ-COLÓN

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, I rise today as Puerto Rico's sole elected representative in Congress to speak about a great man who gave up his voting rights in order to live and die in the place he loved so much, my Puerto Rico.

Former Congressman Robert ''Bob'' Garcia devoted his life to helping our nation become more open and diverse. Before 1990, being Hispanic was not even a classification in the census. Thanks to him, from 1990 on, Hispanics are now counted. Thanks to him, we now know that there are nearly 60 million Hispanics in America, over 50 million in the 50 states and over 3.4 million in Puerto Rico and the rest of our territories.

Thanks to Bob Garcia, the early divisions between African-Americans and Hispanics began to heal. Thanks to his solidarity, our nation now devotes a federal holiday to honor the most important African-American in our nation's history, Dr. Martin Luther King, Jr.

Thanks to Bob Garcia and his fellow Congressman Jack Kemp, a Republican, their good idea of creating Enterprise Zones, where poverty is fought through job creation and not through handouts, became a reality. Today I stand for the expansion of this program.

Like hundreds of thousands of Puerto Ricans, Bob Garcia served in the United States Army, in his particular case during the Korean War as a radio operator with the Third Infantry Division. Yet, like his fellow veterans on the Island, his right to vote for the President and a full-fledged delegation in the U.S. Congress was taken away the minute he moved to Puerto Rico.

On a lighter note, every time I spoke to him, he would remind me that, since his first election to Congress in 1978, he had never voted for a Republican, that is, until he voted for me, a Republican woman, to represent him as a non-voting delegate in this House.

I am honored that for three weeks, Bob was my constituent. He and his wife Jane moved a few years ago to Puerto Rico, knowing that in so doing, they, like the other 3.4 million U.S. citizens residing on the Island, would become disenfranchised. Last November, they couldn't vote for the President, U.S. senators or voting members of Congress, but they chose me to be Puerto Rico's sole elected voice in this chamber. Bob empowered me to fight to give him back his voting rights, not through relocation to the states, but in the Puerto Rico he chose to live the last days of his long, fruitful and accomplished life.

Twelve days ago, while lying in state in the territorial Capitol building, Bob Garcia was honored by the people of Puerto Rico. Today, I join my fellow members in honoring a friend and mentor who left his mark in this body and in the history of a nation. May God bless Congressman Bob Garcia and his legacy.

RECOGNIZING HOME DEPOT STORE 1234 FOR THEIR COMMITMENT TO SERVICE AND VOLUNTEERISM IN THE CITY OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor the managers and employees of Home Depot Store 1234, who have consistently gone out of their way to support and restore a clean and safe community in Buffalo, New York. Their service and work with community leaders is recognized today by None Like You/We Care Outreach and the City of Buffalo.

Employees from the Service Desk, Pro Desk and the Garden, Paint and Plumbing departments have been instrumental in helping to restore several houses on Southampton Street and other areas in the Eastside and Westside of the City of Buffalo. They have given paint for inside and outside house projects for over 30 years and have also been a tremendous help in providing flowers, shrubs, bushes, top soil and mulch for the past several years. These materials have gone to help community gardens, and the properties of seniors, disabled residents and families who could not otherwise afford it.

During the Christmas season, Home Depot Store 1234 has supplied None Like You/We Care Outreach and St. Luke's Mission of Mercy with fresh cut Christmas trees for families in need.

Mr. Speaker, I honor Home Depot Store 1234 and their admirable dedication to the City of Buffalo. Home Depot and its employees have made many dreams come true for the citizens of our community and certainly deserve this recognition by None Like You/We Care Outreach and the City of Buffalo.

BOOSTING RATES OF AMERICAN VETERAN EMPLOYMENT ACT

SPEECH OF

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 2017

Mr. JOHNSON of Georgia. Mr. Speaker, I stand in strong support of H.R. 974, the Boosting Rates of American Veteran Employment (BRAVE) Act.

There is no question that post-9/11 veterans face a harsher economic reality than other Americans. Although in recent years the unemployment rate of post-9/11 veterans decreased since the double digit highs of 2011, the veteran unemployment rate among veterans remains higher than the national average. Those who have sacrificed most for our nation are often left behind or forgotten by businesses and employers when they return home. The transition from military to civilian life is a challenging one for many veterans, and we must address the harsh realities our veterans face when they attempt to reintegrate into the economy.

As we consider the best ways to boost veteran employment in the 115th Congress, we must concentrate our efforts on what many major veterans organizations are urging us to do. The Iraq and Afghanistan Veterans of America, and Veterans of Foreign Wars have all argued that the Department of Veterans Affairs, when granting contracts, should give preference to businesses that employ a high concentration of veterans on a full-time basis. This is a common-sense proposal.

Each year the Department of Veterans Affairs contracts tens of billions of taxpayer dollars on various goods and services. H.R. 974 would ensure that when awarding a contract for goods or services, the Secretary of Veterans Affairs give preference to businesses that employ full-time a high percentage of veterans. H.R. 974 would also grant the Secretary of Veterans Affairs the power to debar for five years from contracting with the Department those offerors who willfully mispresent the veteran status of their employees. This discourages potential businesses from over-reporting the percentage of veterans that make up their workforce.

I believe that H.R. 974 would also have a ripple effect across other agencies in the government and ultimately help a countless number of veterans attain full-time employment. Today, there are an estimated 24,000 businesses that work on federal contracts and employ about 28 million workers in the process. In FY 2015, in my home state of Georgia, an estimated 50,000 workers were employed by Department of Defense contracts alone. In my opinion, H.R. 974 would spark other federal agencies to adopt similar provisions that would give preference to businesses that employ large concentrations of veterans on a full-time basis.

I ask that my colleagues support this bill.

THE RETIREMENT OF MS. KAREN SPAR AFTER A 37-YEAR CAREER OF SERVICE AT THE CONGRESSIONAL RESEARCH SERVICE (CRS)

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. BRADY of Texas. Mr. Speaker, I rise to offer my congratulations and best wishes to Ms. Karen Spar on the occasion of her retirement from a lifetime of dedicated service at the Congressional Research Service. Since she began her career in 1980 at CRS, Karen has risen from an analyst to the head of the Children and Families Section and eventually the Division of Social Policy's first Division Research Coordinator.

In her early days as an analyst, Karen worked on major legislative initiatives of American social policy, including the Omnibus Budget Reconciliation Act of 1981, the Job Training Partnership Act of 1983, the Personal Responsibility and Work Opportunity Act of 1996, and the Adoption and Safe Family Act of 1997.

As head of the Children and Families Section, she supervised work in many of these same policy areas, including income support, child care, nutrition assistance, housing, child welfare, vulnerable youth, child support enforcement, poverty, and others. Her leadership efforts shaped a disparate group of policy areas and analysts from different backgrounds. They became a coherent and highly

effective research group to support Members from both sides of the aisle.

Of special importance to the Committee on Ways and Means, Karen has been a major contributor to nearly every one of the 23 editions of the Committee's Green Book, going back to its creation in 1980. She has contributed sections on child care, child welfare, and the Social Services Block Grant. For more recent editions, she managed the extensive contributions from CRS and helped shepherd it into its new electronic format, which has enabled the Committee to publish it on a more frequent and consistent basis.

On behalf of especially the many Members of the Committee on Ways and Means who benefitted from her thoughtful work over her decades of service, I say thank you and congratulations to Karen Spar on an outstanding career. She truly has made a difference, which is a testament to her hard work and dedication. I wish her nothing but the very best for all that awaits her in the future.

PHILIP WINN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to posthumously recognize and honor Philip Winn for his service and dedication to the State of Colorado. For more than forty years, Phil has had a remarkable career as a public servant to the citizens of Colorado.

Starting in 1964, Phil worked for Witkin Homes and served as their Senior Vice President until 1976. He then went on to become the Chairman of the Board of Philip D. Winn and Associates from 1976–1988. During that time, he also served as the Chairman of the Colorado Republican Party from 1979–1981. In 1981, under the Reagan Administration, Phil was appointed Assistant Secretary to the Federal Housing Commissioner of Housing and Urban Development. From 1983–1984, he was a member of the Federal National Mortgage Advisory Council. In 1988, Phil was nominated to be the Ambassador of Switzerland serving as such until 1989. He received many awards in his life including Man of the Year from the Home Builder's Association in 1971 and Citizen of the Year from the Colorado Association of Housing and Building in 1981.

One of Phil's greatest accomplishments is the work he and his wife, Elle, have put into The Bridge Project at the University of Denver's Graduate School of Social Work. Phil cofounded the Bridge Project in 1991 to provide educational opportunities and assistance in developing life skills for Denver's low-income youth. Over the past 25 years, Phil and his wife have been leaders, donors, advisors and friends to the organization and its mission. They have helped make an impact on the lives of thousands of children and youth in Denver.

I extend my deepest appreciation to Phil Winn for his service and dedication to the citizens of Colorado. His positive impacts will be felt for many years to come.

RECOGNIZING BUFFALO STATE COLLEGE VOLUNTEER AND SERVICE LEARNING CENTER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Buffalo State College's Volunteer and Service Learning Center and their work and civic engagement throughout the City of Buffalo. Their partnerships across the city and collaborations with the east side and west side of Buffalo are recognized today by None Like You/We Care Outreach and the City of Buffalo.

The Volunteer and Service-Learning Center was founded in 2004, and since that time 15,431 students have participated in 820 service-learning courses taught by 137 faculty members. Over 360,000 hours of service have been completed through academic service learning and 103 volunteer events have also engaged students directly with community organizations. Approximately 250 region wide community organizations have partnered to meet community need while enhancing student learning.

Service-learning is faculty driven, with faculty members seeing the academic value in establishing partnerships to support student learning and meet community driven goals. In a recent community partner survey, 100 percent of respondents reported that service-learning impacted their organization in at least one positive way including increasing the number of services offered, increasing the number of clients served, or assisting in meeting the organization's mission.

This significant commitment has also led to the college being placed on the President's Community Service Honor Roll eight times in the past ten years. The President's Honor Roll is the highest federal recognition an institution can receive for its commitment to community, service-learning, and civic engagement. For the 2015 honor roll application, Buffalo State identified more than 492,000 hours of community service activities during the 2014–15 academic year by students, faculty, and staff in the Western New York region.

One overarching goal of the new college strategic plan is to create an engaged campus community that fosters civic responsibility by increasing civic engagement and service-learning experiences, deepening commitments as an anchor institution, and expanding support for faculty and students engaged in this work. Buffalo State's President, Dr. Katherine Conway-Turner inspires the campus to engage in partnership to foster social responsibility. She, for example, hosts the annual Bengals Dare to Care: Buffalo State Community Service Day which last year saw 550 students, faculty, and staff engaged in a day of service with 22 community organizations.

Mr. Speaker, I honor Buffalo State College and their commitment to volunteerism and service-learning in the Buffalo community. It is through these important partnerships that students are given the opportunity to examine and explore their role as citizens, and to identify opportunities to become active citizens in Buffalo and beyond. There are numerous unique and innovative programs at Buffalo State that support student civic engagement and address education, social justice, refugee supports, and social responsibility across campus and therefore are most deserving of this recognition by None Like You/We Care and the City of Buffalo.

RECOGNIZING DELTA SIGMA THETA SORORITY, INC. COLUMBUS ALUMNAE'S FOUNDERS DAY LUNCHEON

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mrs. BEATTY. Mr. Speaker, today, I salute Delta Sigma Theta Sorority, Incorporated.

For 104 years and counting, Deltas have been strong advocates for our communities, the nation and around the globe.

As a proud Delta myself, I had the honor to speak over the weekend to my fellow Sorors at the Columbus Alumnae Chapter's 2017 Founders Day Luncheon.

On Saturday, February 11th, I joined a room full of women standing up for civil rights and voting rights, equal pay for equal work, financial literacy, and high-quality education for all children.

Women committed to fighting for the 30 million newly-insured Americans through the Affordable Care Act as well as seniors and individuals with disabilities who rely on Social Security, Medicare and Medicaid.

Yes, we the more than 200,000 strong, representing 1,000 chapters around the world, are working to honor our rich past by focusing on the future.

Thanks to the amazing leadership of Columbus Chapter President Deidra Reese and National President Dr. Paulette Walker, that future looks brighter than ever.

Go Deltas.

IN RECOGNITION OF MOREHOUSE COLLEGE'S 150TH ANNIVERSARY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to rise today to recognize my alma mater, Morehouse College in Atlanta, Georgia, as it celebrates 150 years of educating, training, and empowering outstanding leaders. The year-long Sesquicentennial Celebration began in January 2017 and will include many events for students, faculty, staff, administrators, donors, families, and friends of Morehouse College. The theme of the Celebration is A House United, which highlights Morehouse's position as a unifying force around the globe and here at home.

Tracing its roots back to the Reconstruction Era after the Civil War, Morehouse College was founded in 1867 as the Augusta Theological Institute in Augusta, Georgia. The school was founded by Rev. William Jefferson White with the encouragement of Rev. Richard Coulter and Rev. Edmund Turney, and it aimed to prepare black men for ministry and teaching.

In 1879, the Augusta Theological Institute moved to the basement of Friendship Baptist

Church in Atlanta and was renamed the Atlanta Baptist Seminary. In 1885, the institution relocated to its current site in Atlanta's West End community. The seminary became a liberal arts college and was subsequently renamed the Atlanta Baptist College. During these early years in Morehouse history, the institution expanded its curriculum and established the tradition of educating leaders for all areas of life. In 1913, Atlanta Baptist College was renamed Morehouse College after the corresponding secretary of the Northern Baptist Home Mission Society, Henry L. Morehouse.

Throughout its 150-year history, Morehouse College has made a significant mark on our state, our nation, and the world. Here, many notable men gained the knowledge and training that enabled them to become some of the greatest influencers of our time, including Dr. Martin Luther King, Jr.; noted theologian, Dr. Howard Thurman; civil rights leader, Julian Bond; filmmaker Shelton "Spike" Lee; Olympic gold medalist Edwin Moses; CEO of the Silicon Valley Community Foundation, Emmitt Carson; and many more.

Morehouse principles often instill a desire for public service to benefit mankind. In the United States Congress, Representative CEDRIC RICHMOND, Chairman of the Congressional Black Caucus, as well as many staff members and former Members of Congress, hold degrees from Morehouse. U.S. Presidents have relied on alumni such as former Secretary of Homeland Security, Jeh Johnson; former Secretary of Health and Human Services, Dr. Louis Sullivan; former Surgeon General, Dr. David Satcher; and former U.S. Ambassador to the United Nations, James Nabrit. Around the country, state and local governments have been led by alumni such as Maynard H. Jackson, the first African-American mayor of Atlanta, Georgia.

As a 1968 graduate of Morehouse College, this one-of-a-kind institution has a special place in my heart. During my matriculation, I got to know on a personal level the late Dr. Benjamin Elijah Mays, the most renowned President of Morehouse who was a mentor to Dr. Martin Luther King, Jr. Through him, I met Dr. King during his life, followed him in protest marches, and sang at his funeral, which was held on the campus and attended by many national and international luminaries.

Today, under the leadership of the 11th President of Morehouse College, Dr. John Silvanus Wilson, Jr., also an alumnus, the school continues to be consistently ranked as one of the top colleges in the nation and among the highest respected Historically Black Colleges and Universities. As the nation's largest liberal arts college for men, Morehouse has conferred more bachelor's degrees on black men than any other institution in the world.

Mr. Speaker, today I ask my colleagues to join me in recognizing Morehouse College for 150 years of preparing young men to aspire to unique and distinctive goals while leading lives of leadership and service. This institution was born out of the death of slavery in America, it guided young black men through the era of segregation in the South, and it continues to empower marginalized populations against the oppression still prevalent in the world today. It is my hope that the generations of Morehouse Men of today and tomorrow will continue the progress and continue to leave their marks on our nation and the world.

RECOGNIZING THE LIFE OF DR. ROBERT M. WOODS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise today to recognize the life of Dr. Robert M. Woods.

Dr. Robert Mathew Woods, Evangelist, age 86, passed away on February 8, 2017. Born on June 2, 1930 in Gallatin, Tennessee, Dr. Woods was the only son born to James Herkless (Herk) and Susie Woods. He had four sisters, Amanda, Mymie, Lottie, and Elsie, (all deceased). At the age of eleven, he enrolled in the Nashville Christian Institute (NCI), in Nashville, Tennessee. The late Bro. Marshall Keeble was president at the time. Dr. Woods preached his first sermon at age eleven and soon started to travel with Bro. Keeble as one of his "Boy Preachers".

In 1949, he graduated from NCI and moved back to Gallatin, where he became the minister of his home congregation. In 1952, he married Anna Holiday and moved to the Chicago area. Dr. Woods served as minister of Monroe Street Church of Christ from September, 1952 until he retired on December 31, 1997, at which time he was ordained as Minister Emeritus.

After the death of his first wife, Anna, Dr. Woods married the former Sara Marie Taylor. Dr. Woods was instrumental in implementing numerous programs during his tenure at Monroe Street Church of Christ. Among them are: a Summer Day Camp, an Intensive Teacher Training Program, an active Jail Ministry in the Cook County Jail where numerous inmates have been baptized in the Church, a Tutoring Program, Adopt-A-Child Program, and an Evangelism Outreach Program. He actively participated with the Block Club and the Midwest Community Council.

He has conducted Gospel Meetings in many cities in the United States, as well as Bermuda and Nassau. He was often called upon to speak at multi-cultural functions to share views about the uniqueness of fellowship between blacks and whites. He often speaks on National, Southwestern, and Regional Lectureships. He served as a member of the Advisory Board for both the Midwest Lectureship and the Midwest Youth Conference. He has been a Trustee for Southwestern Christian College for over fifty years. He received an Honorary Doctorate from Southwestern Christian College in 1992.

After retiring, Dr. Woods and his wife, Sara Marie moved to Villa Rica, Georgia. There they continued their work for the Lord's Church; actively serving as Minister at the Hayes-Glass Church of Christ in Breman, Georgia.

He is survived by his wife, Sara Marie; Daughters, Sue and Sheri; Son, Stephen; Grandchildren, Ericka, Kilian and Janiah; Great-Grandchildren, Kilian, Erick and Baron, and numerous other family & friends.

Dr. Woods was often soft spoken and his messages carried great weight. It was nothing uncommon for two of our community's most endeared and beloved citizens to repeat or say what Pastor Brother Woods had told them or preached about; my barber for about thirty years, Lawyer Stevens and Ms. Nancy Jefferson, Executive of the Midwest Community Council, whom we called our community's Mother Theresa.

Both of them were two of Brother Woods' star pupils and ardent parishioners and I am sure they would want people to know this.

May he rest in peace and in love.

RECOGNIZING STAN SIMPSON FOR HIS COMMITMENT TO SERVICE AND VOLUNTEERISM IN THE CITY OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Mr. Stan Simpson, a dedicated volunteer and resident of Buffalo, New York. Stan's tireless service is recognized today by None Like You/We Care Outreach and the City of Buffalo.

Mr. Simpson is a U.S. Navy veteran and the father of two. He has worked for the city court as a liaison for 11 years; he advises alumni of the Buffalo City Drug Court and is also a patient health navigator at GBUAHN.

Stan is an important leader and role model for community youth. He spends his weekends and the summer months working with young men volunteering with None Like You Outreach Program and other agencies that focus on children. He is always eager to teach youth valuable life skills all while building their confidence and character. Stan takes great pride in passing along his wisdom about maintaining and beautifying properties throughout the city.

Mr. Simpson's help is also crucial in executing None Like You's Thanksgiving and Christmas dinners. He always makes himself available to aid in organization, arranging volunteers and personally cooking and preparing food. He is often vice chair for community meetings. Each week he picks up and delivers food and clothing to those in need, and has helped with many United Way Day of Caring projects. In 1996, Stan's commitment was vital to the restoration of multiple properties on Southampton and Sycamore Streets. Stan prides himself in the way he has changed his own life and encourages others to do the same by getting involved in the community and seeking out ways to give to others.

Mr. Speaker, I honor Mr. Stan Simpson and his admirable dedication to the City of Buffalo. His commitment to our youth and the rehabilitation of the community is exceptional, and he is most deserving of this recognition by None Like You/We Care and the City of Buffalo.

PASTOR GEORGE MORRISON AND CHERYL MORRISON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Pastor George Morrison and his wife, Cheryl Morrison, for their service and dedication to their community and the Faith Bible Chapel.

As devoted servants of the Lord, Pastor George Morrison has served the Faith Bible

Chapel with faith, devotion and integrity for 33 years. Under his leadership, and with Cheryl by his side, the church has grown in membership and expanded in the community to meet the needs of every age group. Prior to joining Faith Bible Chapel, Pastor George Morrison served as a lay pastor and owned a construction company in Arvada, Colorado.

Cheryl Morrison has also inspired many throughout her work in the community and at Faith Bible Chapel. She has served as a mentor to individuals in the community, and has been very involved with Christians United for Israel including leading a group of 37 pastors from the U.S. who will be visiting Israel with Pastor George Morrison in 2017.

Together, they also serve in various leadership capacities across a variety of local organizations. They have spoken at numerous leadership conferences both in the U.S. and overseas, and Pastor George Morrison authored a book entitled, If It's Not Broken, Break It. In addition, Pastor George and Cheryl have both received numerous awards, citations and commendations in both the secular and Christian communities for their service.

I extend my deepest appreciation to Pastor George and Cheryl Morrison for their service and dedication to the Faith Bible Chapel congregants and our community.

HONORING A DISTINGUISHED REPORTER AND COMMENTATOR, BRUCE DEPUYT

HON. JAMIE RASKIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. RASKIN. Mr. Speaker, I rise today to honor a distinguished reporter and commentator, Bruce DePuyt, on the occasion of his retirement from News Channel 8. For over 25 years, Mr. DePuyt has been a steadfast and trusted source of news for millions of people in Maryland, Washington, D.C. and Virginia. As most recently the producer and host of NewsTalk on WJLA News Channel 8, he has covered with true zeal, old-fashioned erudition and relentless energy not only local news but national and international news, weaving them together to create the special news ethos of the Washington area. His journalistic excellence has been recognized by local institutions such as the Washington Blade, which listed him as Best TV Personality of 2013, and the Washington City Paper, which named him Best Newsmaker of 2010. Mr. DePuyt is widely respected among his fellow print and broadcast journalists, who compete to have him as a commentator. I have had the privilege to witness firsthand, both as a guest on his show and as a loyal member of the audience, Mr. DePuyt's exemplary skill as an interviewer and piercing insight as an analyst. Although a bulldog for a straight answer, he can always be trusted to facilitate fair, enlightening and compelling conversations on the essential topics of the day.

Please join me and many residents of Maryland, as well as our friends in Virginia and D.C., as we thank Mr. DePuyt for his many years of service in educating and informing the community. He has made great journalistic contributions already, and we congratulate him on his rich and impressive career and wish him well in all of his future endeavors as a journalist and a citizen.

PERSONAL EXPLANATION

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. WELCH. Mr. Speaker, because of flight cancellations due to inclement weather, I was unable to vote on Roll Call 86 and 87. I would have voted Aye on Roll Call 86 and 87 had I been there.

A POETIC TRIBUTE TO FALLEN NAVY SEAL RYAN OWENS

HON. DARIN LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. LAHOOD. Mr. Speaker, I rise today with a heavy heart at the passing of one of my constituents, an American hero, Navy SEAL Ryan Owens, who was killed on a mission in Yemen on January 29, 2017. Our prayers and thoughts go out to his loved ones, loving wife, and three beautiful children. Our Nation owes a great debt of gratitude to these magnificent members of our Armed Forces and their families for their selflessness. Give thanks to them each day as you hold your family close. I include in the RECORD this poem penned in his honor by Albert Carey Caswell.

RYAN'S SONG

Ryan's Song,
so loud and long,
so very strong,
will live on and on,
On and on,
As an American Hero,
as it's oh so clear oh,
now that he's gone,
He will live on,
Now, up in heaven where he belongs,
Moments
Are all we have,
To fight the evil,
to vanquish the bad,
To make a difference,
all in the short time we have,
To bring the light,
all in our hearts of courage full shining bright,
Upon, death's altar in this never ending fight,
Of Good vs Evil,
there are but our Lord's chosen people who fight the fight,
who will defend our freedoms with all their might,
Who with their band of brothers,
as like none others,
side by side to their left,
to their right
A freedom fighter,
For there can be no brighter light,
Who for each other are so willing to die in this fight,
With kind of selflessness which brings tears to even the Angels' eyes,
way up high on this night,
For there can be no greater gift or treasure,
than To Give That Last Full Measure,
Then, to lay down one's life,
To leave your three beautiful children,
and your loved ones and your most loving wife,
As it's for you Ryan and your family,
we all so cry this night,
For you have blessed our Nation with all your light,
And all across Peoria this night,
there comes a gentle rain,
As you lay your heads down to rest,
all in your heartache that which remains,
Are but our Lord's tears to wash down upon your family Ryan,
to so ease your pain,
Until, once again up in heaven you will meet again,
And you won't have to cry again,
Better to die for something,
than to live for nothing at all,
For this was but Ryan's clarion call,
Mount up my son,
for your new battle has just begun,
As an Angel in The Army of our Lord as you now must run,
To continue this battle which must be won,
And we will hear you on the breeze,
And we will see you in places so all at ease,
As we will awake in the morning so all in peace,
knowing you were watching over us all in our sleep,
As now we lay your most sacred body down to rest,
At Ease my son,
sealed with a kiss,
Ryan you were and will always be one of America's Best,
Her son,
Hush little children don't you cry,
one day up in heaven you will look into your fine Father's eyes,
Amen

—Albert Carey Caswell

In memory of a magnificent American hero, Navy SEAL Ryan Owens. May God watch over his family and hold them in his arms.

RECOGNIZING BOB AND LINDA KUEBLER FOR THEIR COMMITMENT TO SERVICE AND VOLUNTEERISM IN THE CITY OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Mr. Bob Kuebler and his wife, Mrs. Linda Thornhill Kuebler, dedicated volunteers and residents of Buffalo, New York. Their tireless service is recognized today by None Like You/We Care Outreach and the City of Buffalo.

Fifteen years ago, Bob founded Youth With a Purpose (YWAP) at the Holy Cross building on the West Side of Buffalo. The mission of YWAP is to inspire inner city youth to develop as God's leaders who overcome the mindset of segregation, poverty and violence. Bob and his team continue to teach young people how to cope with pain and develop perseverance as they seek purpose and direction in their life. Linda has helped Bob as an YWAP director and prayer leader who is loved by the community she serves.

The Kueblers live on the East Side of Buffalo where they maintain a park on the corner of Carlton Street. Through their work with None Like You/We Care and YWAP, Bob and Linda provide activities for youth, clean and

develop community gardens, help elderly residents and are active during the holiday season serving at the Thanksgiving and Christmas dinners and giveaways.

Bob fulfills his dream of helping as many people as he can by travelling outside of the city to pick up furniture and supplies for those in need, his constant involvement with young adult volunteers at local colleges and his time and effort in the community gardens.

Mr. Speaker, I honor Mr. and Mrs. Kuebler and their admirable dedication to the City of Buffalo and the youth of our community. The Kueblers' commitment to their community is exceptional, and they are most deserving of this recognition by None Like You/We Care and the City of Buffalo.

THE WINGMAN ACT (H.R. 244)

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to commend the House on the passage of the WINGMAN Act.

The WINGMAN Act will allow designated Congressional staffers to work with the Department of Veterans Affairs to expedite the resolution of veterans' claims and better serve constituents.

The need for this legislation is best illustrated by example. One of my constituents, John Harrison, has been battling with the VA over multiple claims for many years. He has continuously dealt with frustration, stagnation, and complications due to poor communication from the VA.

In November 2016, Mr. Harrison was notified that one of his longstanding claims was closed. The VA claimed it closed the case because Mr. Harrison failed to submit a rebuttal to the VA's decision in an appropriate timeframe.

However, Mr. Harrison did in fact submit the rebuttal, and he did so long before the deadline. Mr. Harrison was denied access to his benefits due to disorganization and miscommunication by the VA.

Unfortunately, lack of transparency and delays in communication are regular occurrences for veterans seeking to resolve claims with the VA. Like many veterans, Mr. Harrison is a captive of the processmk-There is no way for him to know who is handling his claim or how his claim is being resolved.

The WINGMAN Act will help address problems like those experienced by Mr. Harrison by increasing access to essential documentation for Congressional staffers working on cases, expediting claims' resolution, and providing for better communication regarding claims decisions.

It is critical that we establish policies to process claims more efficiently and provide better care for our veterans. This bill will allow the excellent caseworkers in my office, and others across the country, to help the VA be more efficient, and more importantly, to help veterans access their benefits.

I am proud to support and cosponsor the WINGMAN Act to help ensure veterans across the United States receive timely access to the benefits they earned and deserve.

LOCALWORKS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Localworks for being honored with the Nonprofit of the Year Award by the West Chamber of Commerce.

Initially incorporated as Wheat Ridge 2020, the organization was renamed in 2015 to better reflect their purpose. Localworks connects residents and businesses in order to create a vibrant and more engaged community. Through programs like Harvest and Active, Localworks brings residents together to learn about urban farming, attend local fitness classes or learn more about canning fruits and vegetables. In 2016, Localworks held more than 60 events aimed at connecting residents through common interests and activities.

Each year, Localworks hosts seven events to attract people to the Wheat Ridge business district. In 2016, more than 19,000 people attended events on Ridge at 38 such as the Criterium and Brewfest, Ridgefest, Trunk or Treat, Friday Night Live and the Holiday Celebration.

In 2016, the organization also offered bus tours of Wheat Ridge and hauled away more than 1,000 cubic yards of junk from local neighborhoods through a partnership with the Wheat Ridge Police Department. They also provided loans to residents and businesses for property improvements and were recently awarded a very competitive three-year ''Active Living Neighborhood'' grant through Kaiser Permanente and The Denver Foundation. These contributions to the Wheat Ridge Community are made possible by volunteers who contributed more than 2,000 hours to the organization.

I extend my deepest congratulations to Localworks for this well-deserved honor from the West Chamber of Commerce.

RECOGNIZING DIANE PESCH-SAVATTERI FOR HER COMMITMENT TO SERVICE AND VOLUNTEERISM IN THE CITY OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Mrs. Diane Pesch-Savatteri, a dedicated volunteer and resident of Buffalo, New York. Diane's tireless service is recognized today by None Like You/We Care Outreach and the City of Buffalo.

Diane is a graduate of the State University of New York at Buffalo and is a proud mother and grandmother. She is the president of Concordia Cemetery, a board member of None Like You/ We Care Outreach, and a volunteer for the American Red Cross Disaster Relief. Diane is a developmental Disabilities Program Specialist for the New York State-WNY Developmental Disabilities Services office where she advocates for, and teaches and trains her patients.

As president of Concordia Cemetery, Mrs. Pesch-Savatteri had led a valiant effort to transform the abandoned cemetery into a place of history, beauty and serenity. While serving on the None Like You/We Care Outreach board, she has been a tremendous help in aiding with the organization, preparation and execution of their annual Christmas and Thanksgiving dinners. She also supervises volunteers and uses her experience in social work to help those in need.

Mr. Speaker, I honor Mrs. Diane Pesch-Savatteri and her admirable dedication to the City of Buffalo. Her commitment to the rehabilitation and beautification of the community is exceptional, and she is most deserving of this recognition by None Like You/We Care and the City of Buffalo.

DERRICK CRANDALL RECEIVING THE CORPS CHAMPION AWARD

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to congratulate my constituent, Derrick Crandall, on receiving the American Recreation Coalition's Corps Champion Award. Mr. Crandall has diligently supported efforts to bolster the outdoor economy and recreation opportunities for all, including our youth.

Since 1981, Mr. Crandall has served as the President and Chief Executive Officer of the American Recreation Coalition. The Washington-based nonprofit organization aims to enhance and preserve outdoor recreational opportunities and protect environmental resources. Upon joining the organization, Mr. Crandall quickly became the national voice of outdoor recreation. He has played an important role in dozens of public policy programs including the National Scenic Byways Program, Recreation Fee Demonstration Program, Recreational Trails Program, Wallop-Breaux Program, and the National Recreation Lakes Study Commission.

Mr. Crandall's efforts have been recognized in many respects. He has received several national awards and recognitions such as induction into the RV Hall of Fame, the receipt of the Annual Award of the National Association of State Boating Law Administrators, and the Chevron Conservation Award. Additionally, he has served as the Chairman of the Take Pride America Advisory Board and as a Founding Director of the National Forest Foundation; in each role he was appointed by the Secretary of the Interior and the Secretary of Agriculture respectively.

His dedication to improving and preserving outdoor recreational activities is evident through his illustrious career of dedication and accomplishments. Mr. Speaker, I ask that my colleagues join me in congratulating Mr. Crandall on receiving the American Recreation Coalition's Corps Champion Award. It is a privilege to represent him and I wish him all the best in his future endeavors.

PERSONAL EXPLANATION

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Ms. PINGREE. Mr. Speaker, I was unable to be present and voting in the House of Representatives on February 13, 2017 due to weather conditions in my home state of Maine that prevented me from travel. If I had been present and voting, I would have voted Aye on Roll Call vote 86 and Aye on Roll Call vote 87 to H.R. 244 and H.R. 974 respectively.

HONORING THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP) ON ITS 108TH ANNIVERSARY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as a proud member of the Congressional Black Caucus, I am pleased to join my colleagues in honoring the National Association for the Advancement of Colored People (NAACP) for its 108th Anniversary after the organization was first founded on February 12, 1909. The NAACP is a prominent African-American civil rights organization in the centuries-old fight for social, economic, and political equality under the law for all Americans.

The NAACP is an organization that is deeply rooted in our nation's history. It is the oldest and largest civil rights orga nization in the United States. The NAACP is founded on the noble pillars of equality, non-discrimination, and morality, and has historically been successful in achieving its goals through non-violent protest, education, and legal and moral persuasion. The NAACP was pivotal in the passage of historic pieces of legislation such as the Civil Rights Act, the Voting Rights Act, and countless other legal victories in our nation's history.

As a member of the African-American community, fighting for the rights of African-Americans, and other minority populations across the country, is of personal significance. Our desire to bring equal treatment and rights to all Americans has helped fuel the diversity and strengths that we as a country enjoy today. It is through our differences that we are able to see value in many different perspectives. However, it was not without struggle to arrive at this point and we have organizations such as the NAACP, in part, to thank for the reconciliation of past harms while having the tools to address new challenges.

Mr. Speaker, it is important that we recognize the contributions and struggles of the people behind organizations such as the NAACP so that we can learn from our past and avoid making the same mistakes again in the future. The NAACP continues to be a leader in raising awareness around social issues facing our country today, such as threats to voting rights. We owe it to future generations to continue the legacy of the NAACP, so that we can continue to build a stronger and better nation for our children.

ADWEST CONSULTING, INC. NANCY CREGO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize AdWest Consulting, Inc. for being honored as the Woman-Owned Business of the Year by the West Chamber of Commerce.

AdWest Consulting was founded in Jefferson County in 1986 by Nancy Crego. AdWest delivers multi-media branding, community marketing and publications through video, film and magazines. The AdWest team is local and collaborates with more than 400 Colorado clients to promote their businesses and messages. It currently publishes the West Chamber's Best of Business magazine and the award-winning Wellness Living Magazine. AdWest also publishes the Colorado Women's Chamber of Commerce directory and magazine.

Nancy's career spans four decades of serving her community and understanding the needs of women who own companies as they balance family and career. She has worked with dozens of nonprofit associations and business groups. Currently, she volunteers for the Colorado Symphony Orchestra Guild, Plan Jeffco, and Mount Vernon County Club Metro District Financial Planning Committee.

I extend my deepest congratulations to AdWest Consulting for this well-deserved honor from the West Chamber of Commerce.

RECOGNIZING THE CONTRIBUTIONS OF MS. MONTANA BYERS TO THE UNITED STATES CONGRESS AND CALIFORNIA'S 11TH CONGRESSIONAL DISTRICT IN THE SPRING OF 2017

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. DESAULNIER. Mr. Speaker, I rise today to recognize an exceptional young woman who is spending the spring semester interning in my Washington, D.C. office. Ms. Montana Byers came to our office as part of the Uni-Capitol Washington Internship Programme (UCWIP), and has been a valuable contributor to our efforts on behalf of California's Eleventh Congressional District.

Since 2000, UCWIP has worked with congressional offices to foster strong ties and understanding between the United States and Australian governments by bringing the best and the brightest from top Australian universities to intern on Capitol Hill. I am proud to be involved in this wonderful program for the second year in a row.

Montana Byers, a student from the University of Wollongong, has worked in our office since January and quickly proved herself to be a highly valuable member of our team. She has drafted legislative requests, attended briefings, written constituent mail, and researched important issues, among many other duties. She consistently displays a deep desire to learn and treats everyone that she encounters with respect. Her hard work and dedication is a tremendous asset to our office and the Eleventh Congressional District.

My team has learned a great deal from Montana about her native country as she has learned about the United States and the U.S. Congress. She is an absolute pleasure to have in the office and I offer her my thanks for a job well done. I wish her the best of luck in all of her future endeavors.

RECOGNIZING MARK AND CYNTHIA CRAIG FOR THEIR COMMITMENT TO SERVICE AND VOLUNTEERISM IN THE CITY OF BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor Mr. and Mrs. Mark and Cynthia Craig, dedicated volunteers and residents of Buffalo, New York. Their tireless service is recognized today by None Like You/ We Care Outreach and the City of Buffalo.

Mark is a Buffalo native, a University at Buffalo graduate and was employed by County Lime Stone in Akron for 36 years. Cynthia moved to Buffalo in 1984 and began work with the New York State Department of Health Bureau of Funeral Directing. Since 1987 she has worked in the New York State Department of Cemeteries and is a New York State Licensed Funeral Director.

The Craigs are a great team who have been a part of None Like You/We Care Outreach program since 2000. They have served on the board, worked on the reorganization and rehabilitation of the Concordia Cemetery and have served thousands over the past 15 years at Thanksgiving and Christmas dinners with None Like You/ We Care Outreach.

Mark and Cynthia have been instrumental in the reconstruction of abandoned houses in the City of Buffalo and have helped supervise summer and student volunteers who help to clean up empty lots and build community gardens.

Mr. Speaker, I honor Mr. and Mrs. Craig and their admirable dedication to the City of Buffalo. The Craig's commitment to their community is exceptional, and they are most deserving of this recognition by None Like You/ We Care and the City of Buffalo.

CONGRATULATING THE HOTEL CHINESE ASSOCIATION OF USA ON THEIR 10TH ANNIVERSARY GALA

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to congratulate the Hotel Chinese Association (HCA) of USA on their 10th Anniversary Gala.

Over the past decade, the Hotel Chinese Association of USA has been a leader in the New York City immigrant community. By providing assistance to workers in the Hospitality industry, the HCA has helped thousands of hotel workers in their 10 year history.

Founded in 2007, the HCA's mission is to promote the understanding of the rights and responsibilities of hotel employees, primarily immigrant workers, who have language and cultural barriers. HCA coordinates with hotel unions and management, as well as recruiting and training immigrants, many of whom aim to have a career in the hospitality industry in New York City.

The HCA has become an important anchor in New York's Chinese community by offering communication assistance and vocational training to Chinese employees. Whether it is providing networking and job opportunities, education, or cultural activities, the HCA aims to assist and lift up striving employees and give them the tools they need for success.

I thank and congratulate the HCA for their 10 years of continuous service to our community and hope they continue to be a fixture in New York City.

TRIBUTE TO UNITED WAY OF CENTRAL IOWA

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate United Way of Central Iowa on celebrating their 100th year in service to the communities of Central Iowa.

Over the last 100 years, United Way of Central Iowa has brought together non-profits, local organizations, elected officials and a whole host of others to make a long-lasting impact on the central Iowa community. Because of their hard work and dedication to improving the lives of others, they have tackled some of the most challenging issues their community faces. With the unique ability to bring together people and organizations from all walks of life, United Way of Central Iowa has championed vast and noticeable improvements throughout central Iowa. By focusing on education, families and healthy living they have impacted the lives of so many and left a lasting mark on central Iowa.

Mr. Speaker, I commend and congratulate United Way of Central Iowa for their many years of dedicated and devoted service to central Iowa. They have made a difference by serving others and it is with great honor that I recognize them today. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this historic milestone and in wishing them nothing but continues success.

Daily Digest

HIGHLIGHTS

Senate confirmed the nomination of Linda E. McMahon, of Connecticut, to be Administrator of the Small Business Administration.

Senate

Chamber Action

Routine Proceedings, pages S1135–S1163

Measures Introduced: Twelve bills were introduced, as follows: S. 367–378. **Page S1161**

Measures Passed:

Promoting Women in Entrepreneurship Act: Senate passed H.R. 255, to authorize the National Science Foundation to support entrepreneurial programs for women. **Page S1163**

Inspiring the Next Space Pioneers, Innovators, Researchers, and Explorers (INSPIRE) Women Act: Senate passed H.R. 321, to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach. **Page S1163**

Measures Considered:

Social Security Administration Rule Relating to Implementation of the NICS Improvement Amendments Act—Agreement: Senate began 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, after agreeing to the motion to proceed. **Pages S1142–49, S1149–57**

Prior to the consideration of this measure, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S1142**

A unanimous-consent-time agreement was reached providing that following Leader remarks on Wednesday, February 15, 2017, there be 10 minutes of debate remaining, equally divided, on the joint resolution, and Senate vote on passage of the joint resolution, without intervening action or debate; and that following disposition of the joint resolution, there be 10 minutes of debate, equally divided, prior to a vote on the motion to invoke cloture on the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget, and if cloture is invoked, post-cloture time be counted as if invoked at 1 a.m., on Wednesday, February 15, 2017. **Page S1156**

A unanimous-consent agreement was reached providing for further consideration of the joint resolution at approximately 10 a.m., on Wednesday, February 15, 2017, under the previous order. **Page S1163**

Nomination Confirmed: Senate confirmed the following nomination:

By 81 yeas to 19 nays (Vote No. EX. 65), Linda E. McMahon, of Connecticut, to be Administrator of the Small Business Administration. **Pages S1138–42**

Messages from the House: **Page S1160**

Measures Referred: **Pages S1160–61**

Executive Reports of Committees: **Page S1161**

Additional Cosponsors: **Pages S1161–62**

Statements on Introduced Bills/Resolutions: **Pages S1162–63**

Additional Statements: **Pages S1159–60**

Authorities for Committees to Meet: **Page S1163**

Privileges of the Floor: **Page S1163**

Record Votes: One record vote was taken today. (Total—65) **Page S1142**

Adjournment: Senate convened at 10 a.m. and adjourned at 5:59 p.m., until 10 a.m. on Wednesday, February 15, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1163.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 3 nominations in the Army and Navy.

Also, committee adopted its rules of procedure for the 115th Congress.

LONG-TERM DEFENSE CHALLENGES

Committee on Armed Services: Committee received a closed briefing on long-term defense challenges and strategies from Robert O. Work, Deputy Secretary, General Paul J. Selva, USAF, Vice Chairman of the Joint Chiefs of Staff, and James H. Baker, Director, Office of Net Assessment, Office of the Secretary, all of the Department of Defense.

SINGLE SERVICEMEMBER AND MILITARY FAMILY READINESS PROGRAMS

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine Department of Defense single servicemember and military family readiness programs, after receiving testimony from Sergeant Major of the Army Daniel A. Dailey, USA, Master Chief Petty Officer of the Navy Steven S. Giordano, USN, Sergeant Major of the Marine Corps Ronald L. Green, USMC, Chief Master Sergeant of the Air Force James A. Cody, USAF, and Stephanie Barna, Acting Assistant Secretary for Manpower and Reserve Affairs, all of the Department of Defense; Kathy Roth-Douquet, Blue Star Families; and Joyce W. Raezer, National Military Family Association.

SEMIANNUAL MONETARY POLICY REPORT TO THE CONGRESS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the Semiannual Monetary Policy Report to the Congress, after receiving testimony from Janet L. Yellen, Chair, Board of Governors of the Federal Reserve System.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 1029–1058; and 7 resolutions, H.J. Res. 72–73; H. Con. Res. 23–24; and H. Res. 124–126 were introduced. **Pages H1183–84**

Additional Cosponsors: **Page H1186**

Report Filed: A report was filed today as follows:

H. Res. 123, providing for consideration of the joint resolution (H.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients; providing for consideration of the joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska"; and providing for proceedings during the period from February 17, 2017, through February 24, 2017 (H. Rept. 115–12). **Page H1183**

Speaker: Read a letter from the Speaker wherein he appointed Representative Fleischmann to act as Speaker pro tempore for today. **Page H1129**

Recess: The House recessed at 11:06 a.m. and reconvened at 12 noon. **Page H1136**

Recess: The House recessed at 1:56 p.m. and reconvened at 2:15 p.m. **Page H1151**

Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees and Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees—Rule for consideration: The House agreed to H. Res. 116, providing for consideration of the joint resolution (H.J. Res. 66) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees, and providing for consideration of the joint resolution (H.J. Res. 67) disapproving the rule submitted by the Department of Labor relating to savings arrangements established

by qualified State political subdivisions for non-governmental employees, by a recorded vote of 227 ayes to 188 noes, Roll No. 91, after the previous question was ordered by a yea-and-nay vote of 227 yeas to 188 nays, Roll No. 90. **Pages H1139–45, H1152–54**

Recess: The House recessed at 3:52 p.m. and reconvened at 4:15 p.m. **Page H1159**

Red River Gradient Boundary Survey Act: The House passed H.R. 428, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, by a yea-and-nay vote of 250 yeas to 171 nays, Roll No. 92. **Pages H1154–59, H1159–60**

H. Res. 99, the rule providing for consideration of the bill (H.R. 428) and the joint resolution (H.J. Res. 42) was agreed to by a recorded vote of 225 ayes to 187 noes, Roll No. 89, after the previous question was ordered by a yea-and-nay vote of 225 yeas to 189 nays, Roll No. 88.

Pages H1145–54, H1151–52

Privileged Resolution: The House agreed to H. Con. Res. 23, providing for a joint session of Congress to receive a message from the President.

Page H1160

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H1151–52, H1152, H1152–53, H1153–54, H1159–60. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:49 p.m.

Committee Meetings

THE EVOLVING THREAT OF TERRORISM AND EFFECTIVE COUNTERTERRORISM STRATEGIES

Committee on Armed Services: Full Committee held a hearing entitled ''The Evolving Threat of Terrorism and Effective Counterterrorism Strategies''. Testimony was heard from public witnesses.

RESTORING BALANCE AND FAIRNESS TO THE NATIONAL LABOR RELATIONS BOARD

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor, and Pensions held a hearing entitled ''Restoring Balance and Fairness to the National Labor Relations Board''. Testimony was heard from public witnesses.

SELF-DRIVING CARS: ROAD TO DEPLOYMENT

Committee on Energy and Commerce: Subcommittee on Digital Commerce and Consumer Protection held a hearing entitled ''Self-Driving Cars: Road to Deployment''. Testimony was heard from public witnesses.

DEFEATING TERRORISM IN SYRIA: A NEW WAY FORWARD

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled ''Defeating Terrorism in Syria: A New Way Forward''. Testimony was heard from public witnesses.

THE FUTURE OF FEMA: STAKEHOLDER RECOMMENDATIONS FOR THE NEXT ADMINISTRATOR

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled ''The Future of FEMA: Stakeholder Recommendations for the Next Administrator''. Testimony was heard from public witnesses.

JUDICIAL TRANSPARENCY AND ETHICS

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property, and the Internet held a hearing entitled ''Judicial Transparency and Ethics''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on H.R. 195, the ''Federal Register Printing Savings Act of 2017''; H.R. 624, the ''Social Security Fraud Prevention Act of 2017''; H.R. 998, the ''Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2017''; H.R. 1004, the ''Regulatory Integrity Act of 2017''; H.R. 1009, the ''OIRA Insight, Reform, and Accountability Act''; and H.R. 1003, the ''District of Columbia Courts and Public Defender Service Voluntary Separation Incentive Payments Act''. H.R. 624 was ordered reported, as amended. The following bills were ordered reported, without amendment: H.R. 195, H.R. 998, H.R. 1004, H.R. 1009, and H.R. 1003.

HOUSE JOINT RESOLUTION PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE FINAL RULE OF THE DEPARTMENT OF THE INTERIOR RELATING TO "NON-SUBSISTENCE TAKE OF WILDLIFE, AND PUBLIC PARTICIPATION AND CLOSURE PROCEDURES, ON NATIONAL WILDLIFE REFUGES IN ALASKA"; HOUSE JOINT RESOLUTION PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE FINAL RULE SUBMITTED BY SECRETARY OF HEALTH AND HUMAN SERVICES RELATING TO COMPLIANCE WITH TITLE X REQUIREMENTS BY PROJECT RECIPIENTS IN SELECTING SUBRECIPIENTS

Committee on Rules: Full Committee held a hearing on H.J. Res. 69, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska"; and H.J. Res. 43, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients. The committee granted, by record vote of 7–4, a closed rule for H.J. Res. 43. The rule provides one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution. The rule provides one motion to recommit. Additionally, the rule grants a closed rule for H.J. Res. 69. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution. The rule provides one motion to recommit. In section 3, the rule provides that on any legislative day during the period from February 17, 2017, through February 24, 2017: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. Finally, in section 4, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3. Testimony was heard from Chairman Black and Representatives Walberg, DeGette, and Young of Alaska.

STRENGTHENING U.S. CYBERSECURITY CAPABILITIES

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled "Strengthening U.S. Cybersecurity Capabilities". Testimony was heard from Charles H. Romine, Director, Information Technology Lab, National Institute of Standards and Technology; Gregory Wilshusen, Director, Information Security Issues, Government Accountability Office; and public witnesses.

EXPLORING NATIONAL WORK QUEUE'S IMPACT ON CLAIMS PROCESSING

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled "Exploring National Work Queue's Impact on Claims Processing". Testimony was heard from Thomas J. Murphy, Acting Under Secretary for Benefits, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Ways and Means: Full Committee held a markup on the committee's Authorization and Oversight Plan for the 115th Congress; Views and Estimates on the Fiscal Year 2018 Federal Budget; and ratification of subcommittee assignments and appointments to the Joint Committee on Taxation. The committee adopted its Authorization and Oversight Plan for the 115th Congress and its Views and Estimates on the Fiscal Year 2018 Federal Budget. The committee ratified its subcommittee assignments and appointments to the Joint Committee on Taxation.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 15, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine

mental health care, focusing on examining treatments and services, 10:30 a.m., SD–138.

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to receive a closed briefing on Anti-Access Area Denial challenges in Europe, 10 a.m., SVC–217.

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, to hold hearings to examine stakeholder perspectives on our multimodal transportation system, 2:30 p.m., SR–253.

Committee on Environment and Public Works: to hold an oversight hearing to examine modernization of the Endangered Species Act, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine ending modern slavery, focusing on building on success, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine government operations susceptible to waste, fraud, and mismanagement, 2:45 p.m., SD–342.

Special Committee on Aging: to hold hearings to examine stopping senior scams, focusing on developments in financial fraud affecting seniors, 2:30 p.m., SD–562.

House

Committee on Agriculture, Full Committee, hearing entitled ''Rural Economic Outlook: Setting the Stage for the Next Farm Bill'', 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, oversight hearing on the USDA Office of Inspector General, 10 a.m., 2362A Rayburn.

Subcommittee on Legislative Branch, hearing entitled ''Members' Day'', 2 p.m., HT–2 Capitol.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled ''Providing Vulnerable Youth the Hope of a Brighter Future Through Juvenile Justice Reform'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy, hearing entitled ''Modernizing Energy and Electricity Delivery Systems: Challenges and Opportunities to Promote Infrastructure Improvement and Expansion'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''Monetary Policy and the State of the Economy'', 10 a.m., 2128 Rayburn.

Committee on House Administration, Full Committee, hearing on committee funding for the 115th Congress, 10:30 a.m., 1310 Longworth.

Committee on the Judiciary, Full Committee, markup on the committee's Authorization and Oversight Plan for the 115th Congress; H.R. 985, the ''Fairness in Class Action Litigation Act of 2017''; and H.R. 906, the ''Furthering Asbestos Claim Transparency (FACT) Act of 2017'', 10 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''GAO's 2017 High Risk Report: 34 Programs in Peril'', 10 a.m., 2154 Rayburn.

Subcommittee on the Interior, Energy and Environment, hearing entitled ''Examining Federal Programs that Serve Tribes and Their Members'', 2 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Energy; and Subcommittee on Oversight, joint hearing entitled ''Risky Business: The DOE Loan Guarantee Program'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Start-ups Stalling? The Tax Code as a Barrier to Entrepreneurship'', 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing entitled ''Building a 21st Century Infrastructure for America: State of American Aviation Manufacturing'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Full Committee, markup on a resolution to assign Congressman Sablan, Congresswoman Esty, and Congressman Peters to subcommittees, 9 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Human Resources, hearing entitled ''The Geography of Poverty'', 10 a.m., 1100 Longworth.

Next Meeting of the SENATE

10 a.m., Wednesday, February 15

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.J. Res. 40, Social Security Administration Rule Relating to Implementation of the NICS Improvement Amendments Act, and vote on passage of the joint resolution.

Following disposition of H.J. Res. 40, Senate will vote on the motion to invoke cloture on the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 15

House Chamber

Program for Wednesday: Consideration of H.J. Res. 42—Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants. Consideration of H.J. Res. 66—Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees. Consideration of H.J. Res. 67—Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

Extensions of Remarks, as inserted in this issue

HOUSE

Beatty, Joyce, Ohio, E190
Bishop, Sanford D., Jr., Ga, E190
Boyle, Brendan F., Pa., E187
Brady, Kevin, Tex., E189
Collins, Doug, Ga., E193
Comstock, Barbara, Va., E188, E193
Davis, Danny K., Ill., E191
DeSaulnier, Mark, Calif., E194
Delaney, John K., Md., E187
Farenthold, Blake, Tex., E185
González-Colón, Jenniffer, Pueto Rico., E189
Gosar, Paul, Ariz., E185
Gutiérrez, Luis V., Ill., E187
Higgins, Brian, N.Y., E185, E186, E187, E189, E190, E191, E192, E193, E194
Johnson, Eddie Bernice, Tex., E194
Johnson, Henry C. ''Hank'', Jr., Ga., E186, E189
LaHood, Darin, Ill., E192
McCaul, Michael T., Tex., E187
Panetta, Jimmy, Calif., E185
Perlmutter, Ed, Colo., E185, E187, E187, E188, E190, E191, E193, E194
Pingree, Chellie, Me., E187, E194
Raskin, Jamie, Md., E192
Rush, Bobby L., Ill., E185
Scott, Robert C. ''Bobby'', Va., E188
Serrano, José E., N.Y., E186
Shuster, Bill, Pa., E186
Velázquez, Nydia M., N.Y., E194
Welch, Peter, Vt., E192
Young, David, Iowa, E195

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