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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. ROGERS of Kentucky).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 15, 2017.

I hereby appoint the Honorable HAROLD ROGERS 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.

TWENTY-FIFTH AMENDMENT

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

Mr. BLUMENAUER. Mr. Speaker, like many people, I have noticed renewed interest in the 25th Amendment, as we have seen erratic behavior out of the White House, an inability of Donald Trump to even tell whether it rained on him during his inaugural speech, and repeating false statements that are demonstrably wrong.

Last Friday, the mechanism to deal with Presidential incapacity, the 25th Amendment, celebrated its 50th anniversary. I became intrigued with its history and application because it is clear, whether with Donald Trump or a future President, this mechanism is very important. Accidents can happen: President Reagan suffered from early onset Alzheimer's that concerned his staff. President Wilson was incapacitated by a stroke, and his wife, Edith, effectively governed the United States for months.

It is only a matter of time before we face these challenges again. As I examined the amendment, it became clear that, in the case of mental or emotional incapacity, there is a glaring flaw. For a mentally unstable, paranoid, or delusional President, the 25th Amendment has no guarantee of its application. In fact, it is likely that it would fail.

As written, the 25th Amendment requires the Vice President and a majority of the Cabinet to concur that the President is no longer capable of exercising authority. There are other safeguards. It would take time to process. Ultimately, two-thirds of both Houses of Congress must agree.

But look at the current Cabinet. Even if one thinks that a group with no meaningful government experience, all approved in a heightened partisan context, most of whom don't even know the President personally, could objectively exercise the power should the President become mentally incapacitated, the larger question is whether they would ever be allowed to do so.

A President who is paranoid or delusional is very unlikely to tolerate dissent within the ranks. He or she could simply fire any Cabinet member who would stand up to them.

That is why we need to exercise the other part of the 25th Amendment that allows Congress to designate another body, instead of the Cabinet. Who could exercise that authority with the confidence of the American public and with the knowledge of what it takes to understand the personal and political stresses of the Presidency?

I submit that the best failsafe to a President who is emotionally unstable would be to impanel our previous Presidents and Vice Presidents to make that determination.

Think about how it would work. Currently, there are 10 bipartisan former distinguished Americans who, in most cases, enjoy even greater public support than when they left office. Most importantly, there is no group of people better suited to evaluate the evidence and the dynamics at work for the good of the country and the President who needs help.

Now, we have made real progress with mental illness. We have made it easier to get care. We are taking away the stigma for the one in five Americans who suffer from mental health issues. We find people to be more open and candid and accepting of themselves and others. We are making real strides in terms of treatment and acceptance.

But all of this requires access to help; and this drama should not play out with somebody whose fingers are on the nuclear buttons and whose every pronouncement can unsettle diplomatic conditions, affect war and peace, and the global economy.

Having Congress establish this panel of former Presidents and Vice Presidents from both parties as a guardian and failsafe mechanism is important, and it needs to happen as soon as possible.

We never know when catastrophe might strike. There is no good time to fix this problem. In today's world of alternative facts and fake news, in a sea of bitter partisan controversy, we need to have a mechanism that can be reliable, command public confidence, and be above politics.

It is hard to think of a group that would collectively have more support and credibility than the distinguished

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Americans who have been in that position and, regardless of partisan differences, whose allegiance to America is unquestioned.

We need to start now to protect the integrity of the most powerful position on the planet.

BLACK LUNG BENEFITS

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, my home State of West Virginia has almost 20,000 coal miners. Tens of thousands more worked in the mines and are now enjoying a well-deserved retirement.

They proudly mined the coal that powers our Nation, and it puts food on their table. These miners worked hard each and every day, and we owe them a debt of gratitude.

Our Nation made them a promise to take care of them if they developed black lung disease. And for decades now, the Federal Government has guaranteed black lung benefits, and the so-called Byrd amendment 7 years ago reiterated that commitment to our miners.

As we draft healthcare reform here in Congress, I urge my colleagues to maintain these essential black lung benefits for our miners and their families.

I have introduced legislation to affirm our commitment to protecting the Byrd amendment and these critical black lung benefits. I introduced it last Congress, too, and I am committed to continuing to fight for it because we cannot let our miners down.

While mine safety continues to improve, we must guarantee that our miners have the benefits they need in case they are diagnosed with black lung disease. These benefits provide critical support for our retired miners and their families. For some disabled miners, it may be the only income they have. In West Virginia, almost 5,000 families rely on these benefits.

This is a promise we made to them, and it is a promise that we must keep. Just as we have relied on our miners to mine the coal that built the skyscrapers and won world wars, our miners should be able to rely on us.

I urge my colleagues to support the protection of black lung benefits and to honor the hard work of our miners.

A GLACIER OF RUSSIAN INTERFERENCE

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

Ms. SPEIER. Mr. Speaker, we are in a constitutional crisis. Make no mistake about it. Yes, the National Security Adviser Michael Flynn resigned. Yes, he should have resigned, but he is just the tip of the iceberg. A glacier of Russian interference is plaguing our country right now.

In his resignation letter, General Flynn wrote: ''I have always performed my duties with the utmost of integrity and honesty to those I have served, to include the President of the United States.''

I believe General Flynn. I believe he did precisely what the President of the United States asked him to do. General Flynn is a military man. He is accustomed to the chain of command. He did not do anything that he was not asked to do. He was not a rogue agent, but had the complete knowledge and cooperation of his Commander in Chief.

We have all heard Donald Trump boast of how smart he is and how he calls his own shots. Why then should we believe that, when it comes to national security, he prefers to be kept in the dark? A President can't be both in charge and out of the loop.

The only way we can ever hope to know what happened is if there is a thorough investigation. I believe it should be an independent investigation, an independent commission. But if we are going to go down the route of having it be a congressional investigation, then it needs to be a comprehensive investigation and one that has the resources to do the job.

I am calling on Chairman NUNES of the House Permanent Select Committee on Intelligence to schedule hearings immediately.

We heard 14 hours of testimony from Secretary Clinton about her emails. I think we can agree that foreign infiltration of our government at the highest level is at least as important as using a private email server, especially, I might add, when President Trump and his team used unencrypted cell phones during their North Korea strategy session at Mar-a-Lago in a dining room with many other guests.

Today, an Active Duty, four-star general said publicly that ''our government continues to be in unbelievable turmoil'' and that he hopes ''they sort it out soon, because we're a nation at war.''

He continues: ''As a commander, I'm concerned our government be as stable as possible.''

It is critical that Congress takes heed of this unprecedented public warning and act.

I am well aware this is a partisan institution. I also know that there have been times in our proud history in the United States Congress when Members have pushed partisanship aside in search of the truth. The Warren Commission, following the assassination of President Kennedy, is one example. The 9/11 Commission after the terrorist attacks in 2001 is another.

In the Senate, at least three Republicans have directly called for investigations into this matter and several more have acknowledged that these questions must be answered. I wonder, will one House Republican Member come forward and say we must investigate?

Colleagues, I urge you to think this through. Vladimir Putin ordered agents to meddle in our election. Did he do it out of love for Mr. Trump? I doubt it. More likely, he did it so he could do to a democracy what we and our allies did to communism, send it to the ash heap of history. If America's elections can be hacked, what chance is there for budding democracies to make it?

Don't believe me? Look at what Putin has done in just 3 weeks of this new administration. He had government agents poisoned. He sent a political rival to prison. He sent $12 million to Jean-Marie Le Pen, the far-right candidate for the President of France. His latest move was to launch a cruise missile that is in direct defiance of treaties.

Putin's Russia is playing chicken with President Trump, and what is our President's response? A tweet complaining about leaks within his administration and, according to the latest reports, pressuring the Prime Minister of Japan to forge closer relations with Russia.

□ 1015

President Trump's ''bromance'' is dangerous. It undermines our democracy, and it is destabilizing the globe.

What does Putin have on President Trump? What does President Trump owe Putin?

We will not know until we exercise U.S. Code section 6103. A vote yesterday in Ways and Means was a totally partisan vote. We deserve to know what his tax return shows us. We deserve the truth.

CALIFORNIA'S MARCH TO THE EXTREME LEFT

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

Mr. MCCLINTOCK. Mr. Speaker, one of the most troubling aspects of California's lurch to the left are the rise of two doctrines unknown in this country since the last gasp of the Southern Confederacy.

The first is the doctrine of nullification, the notion that States may defy Federal laws that their leaders simply don't like. The most outspoken advocate of this doctrine was John C. Calhoun, who, in referencing our Nation's most-revered document, the Declaration of Independence, observed that our Nation had been founded on—his words—''self-evident lies.''

The doctrine of nullification has been revived in the sanctuary cities movement, and has now reared its head as State legislation. Our Constitution clearly gives Congress the sole prerogative to make immigration law, and it commands the President to faithfully execute these laws. Our President is now doing so. Yet, California's legislature is actively considering a bill that would assert an independent power to defy them. And this is not just happening in California.

Mr. Speaker, States ought to be jealous guardians of their organic powers and the prerogatives against unwanted encroachments by the Federal Government. But the Supremacy Clause binds the States to our Federal laws. This is the very essence of Constitutional Federalism in Article VI:

''This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and of all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.''

If a State, in rightfully guarding its powers, believes that a Federal law unconstitutionally infringes on those powers, the Constitution provides that the courts shall resolve such disputes. But asserting the power to nullify a Federal law, a law that is clearly within the enumerated powers of the Congress and clearly under the Supremacy Clause of the Constitution, that crosses a very bright line that no State has breached since the first State seceded in 1861.

Which brings us to the second, even more disturbing development in California's march to the extreme left. There is no single act which more ultimately and categorically rejects our Constitution, our country, and all that they stand for, than a proposal to secede from the Union that has preserved our liberties for nearly two and a half centuries. It is logically impossible to support secession and, yet, maintain loyalty to the Union from which you propose to secede.

Secession is the ultimate act of disloyalty today, no less than during the days of Confederacy. Yet, in California, a formal secession movement is now circulating petitions for signature to place exactly such a proposal on the ballot.

It should come as no surprise that one of its leading proponents is an American expatriate now living in Russia who declared he ''could no longer live under an American flag.'' It should not even come as a surprise that the movement is cheered on by California's increasingly radical left.

But what came as a stunning surprise is that 32 percent of Californians support this measure, according to a recent poll. Let me repeat that. One in three Californians, according to this poll, want to repudiate our Federal Union and its Constitution.

We can only hope that the polling is wrong, or that the disaffected Californians who answered the poll in this fashion did so with reckless abandon that calm reflection will cure. But it is impossible to avoid the implication that so many people in my afflicted State hold so little loyalty to our country that they would support a measure that willfully rends it asunder.

These movements, nullification and secession, cross from lawful dissent into lawless rebellion. In these turbulent times, our greatest strengths are our rule of law, our constitutional institutions, and the loyalty of Americans to their priceless legacy of freedom and justice and the Union that preserves them.

Every person who takes the oath of office under our Constitution swears an oath to support and defend the Constitution. These modern resurrections of the long-buried doctrines of nullification and secession strike at the heart of our Constitution. These movements of the left would undermine the very foundation of our American civilization. They ought to be condemned in the strongest possible terms and opposed by every American of goodwill who remains loyal to our free government.

RUSSIA'S AGGRESSIVE INTENT

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

Mr. COURTNEY. Mr. Speaker, as we are sitting here in this Chamber, right now off the coast of Groton, Connecticut, 30 miles from the Groton Navy Sub Base, which is the oldest submarine base in America, there is a Russian spy ship, the Viktor Leonov, that is loitering—as was reported this morning from the Navy and news sources—off the coast, again, within the bare minimum of international waters.

I can attest to the fact that—having just flown down from Connecticut a few days ago—anyone who would loiter off the coast of Connecticut is not doing it because of the great climate and weather. It is freezing weather out there. They are doing it, obviously, with aggressive intent, to say the least.

Mr. Speaker, this is part of a pattern that is going on right now not just off the East Coast of the U.S., but also overseas. The USS *Porter*, which is a Navy missile ship, was buzzed by military aircraft from Russia on February 10. They came within 200 yards of the ship. Again, because we have such incredibly competent and professional leadership that captain those vessels, an incident was avoided.

However, the danger of jet aircraft moving within 200 yards of a U.S. naval ship obviously is just common sense to anyone how high risk that is in terms of creating an incident that could have huge ramifications.

In addition to that, the news reported again just the last couple of days or so that the Russian military is now deploying intermediate medium-range nuclear warheads in different places throughout Western Russia, near Eastern Europe. Again, this is clearly in violation of treaties that go back decades.

As General Breedlove, who was the commander of NATO and the European Command who just stepped down, said that this new effort really just cannot go unanswered. It completely destabilizes the balance of power in that theater of the world.

Again, the folks in Connecticut woke up this morning with that news about the spy ship off the coast. As you can imagine, it has created a lot of consternation and questions.

Once again, I would reiterate that I have total confidence in our Navy leadership both at the Groton Navy base and here in Washington that they will react to this with total vigilance and professional competence to make sure that, again, our security is protected.

But I think it is time now for all of us in Washington, D.C., to understand that Vladimir Putin, during the 5 years that he has been in power, again, has taken a posture that is completely destabilizing any sort of global system of peace and security.

This new administration, which clearly has an infatuation with Putin—and this goes back during the campaign with President Trump talking on the campaign trail about his high regard for Putin's leadership—needs to basically move on and recognize that this is an emerging threat and that we have to take all necessary steps to respond to it both in the short-term and, obviously, as we take up defense policy and defense budgets, which is that the resurgence of the Russian Navy is a game-changer in terms of the demands on our fleet.

That is something that, again, on the Seapower and Projection Forces Subcommittee, which I am the ranking member, we are working hard in terms of implementing the Obama administration's boost to Navy shipbuilding and increasing the fleet size.

Again, we need to really, as I said, just disavow ourselves of any naive assumptions that somehow the Putin government is somehow something that we can trust, and shows any regard for international norms or international law.

Again, to the folks back home, I want you to know that we are monitoring this situation with our Navy team down here in Washington and I have total confidence that we are on top of this situation.

It is a reminder that the Russian Government and the investment that they have put into their Navy fleet is not a friendly gesture in terms of creating a system of global peace and security; and this administration needs to wake up and recognize that and move on to a bipartisan effort to respond to this threat.

They can do that by, again, disclosing all the background regarding General Flynn's interaction with the Russian Government because it is part and parcel of all those incidents which I listed in terms of aggressive actions that are happening in real time as we are here in Washington, D.C., today.

TITLE X GRANT ALLOCATIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from

Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I come to the floor this morning to talk about a piece of legislation that is going to be before us this week, and we are bringing it forward through the Congressional Review Act.

In our office, we have had so many people ask: What is a Congressional Review Act, and how is it that you can recall these rules?

This allows Congress to exercise their authority over the agencies and the administration and the executive branch interaction where they make rules. Many times they do these rules, as this previous administration did, at the last minute, as they are heading out the door, trying to put their thumb and their imprint on actions and prohibit Congress or prohibit the States from taking an action.

So as we meet in this Chamber this week, we are going to take up H.J. Res. 43. H.J. Res. 43 is a resolution which will disapprove of one of these last-minute rule changes that President Obama made as he was exiting his office. This one deals with title X funds and the grant allocations that come through title X funds.

Now, title X funds were put in place to serve women and their healthcare needs, underserved women in underserved areas, and to make certain that there were provisions so that they could access women's health and have access to preventive screenings, to annual immunizations, those checkups that they need to have each year. Many times these funds have been used by individuals who will say: We do women's health and we also do abortion services.

Now, what the rule would have done was to block the States and to take away their ability to go in and ask: Who is going to have access to these funds, and are we going to disallow them to go to entities that provide abortion services?

So H.J. Res. 43 repeals the previous administration's rule and it restores and gives back to the States the flexibility that they want and desire to have to distribute these title X grants under the parameters for which this program was designed.

States should be able to offer family planning funds to providers that offer a full and complete range of healthcare services for women, but do not participate in elective abortions.

Title X funds, outside of the Affordable Care Act, were intended to help keep patients healthy and to help them on the road to a better quality of life and better health outcomes, not to take away life.

H.J. Res. 43 also redirects title X grant funds to other clinics comprised of local health departments, hospitals, and federally qualified health centers that seek to protect life and offer healthcare services to women.

Mr. Speaker, I ask my colleagues to support H.J. Res. 43, which repeals the previous administrative efforts which undermine State laws and restores to the States the title X grant program for its original purpose.

RECESS

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

Accordingly (at 10 o'clock and 30 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

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

We give You thanks, O God, for giving us another day.

As You make available to Your people the grace and knowledge to meet the needs of the day, we pray that Your spirit will be upon the Members of this people's House, giving them the richness of Your wisdom.

May the power of Your truth and our faith in Your providence give them all the confidence they must have to do the work required for service to our Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois (Ms. KELLY) come forward and lead the House in the Pledge of Allegiance.

Ms. KELLY of Illinois led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

RECOGNIZING AMERICAN HEART MONTH

(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, as our Nation celebrates American Heart Month, I want to highlight the groups and individuals working to ensure that south Florida is filled with healthy hearts.

Organizations like the Ft. Lauderdale-Miami chapter of the American Heart Association work tirelessly every day to raise awareness and support patients, as well as caregivers. The members will be hosting the Miami Heart and Stroke Ball to help fund lifesaving research and prevention programs in our community.

I would also like to recognize the medical researchers, the doctors, and the nurses at the Miami Cardiac and Vascular Institute and so many other medical centers that are working to pioneer innovative treatments that save lives in south Florida every day.

This American Heart Month, let us unite as a community to promote exercise, healthy eating habits, and frequent checkups to ensure that south Florida is heart-healthy throughout the entire year.

WHERE IS THE HEARING

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

Ms. KELLY of Illinois. Mr. Speaker, in the wake of troubling events in the Trump White House, I have one simple question: Where is the hearing?

In less than a month, we have watched the credibility and security of our democracy endangered by a descent into scandal, distrust, and an authoritative environment. What are we going to do about it?

I serve as the top Democrat on the Oversight and Government Reform Committee's IT subcommittee, yet I have heard nothing about a hearing to investigate Russia's cyber attacks on our elections. Where is the hearing?

Officials are hawking the First Daughter's private clothing line from the White House. Where is the hearing?

I sit on the Foreign Affairs Committee, and we have not had a discussion on Russia's potential blackmailing of our President or former NSA Director Flynn. Where is the hearing?

The President's tweets show an utter lack of respect for our free press and independent judicial system, hallmarks of our democracy. Where are the hearings?

Russia, election hacking, unconstitutional Muslim bans, gag orders on public servants, unfinished and unfiled ethics paperwork, politically motivated witch hunts against scientists and reporters, blackmail from a foreign government, and the list goes on and on. All of these deserve answers so, once again, I ask, where is the hearing?

The people of Illinois and the American people deserve to know. They deserve a hearing.

MILITARY FOOD INSECURITY

(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, the House Agriculture Committee has been focused on the issue of food insecurity and the programs that serve those in need beyond personal resources, family support, and community programs.

Many are surprised to learn that 22,000 Active Duty military families receive supplemental nutritional assistance, or SNAP. Food insecurity for the families of these American heroes can be triggered by low pay among lower-ranking enlistees, high military spouse unemployment, larger household sizes, and unexpected financial emergencies.

We lifted one barrier to SNAP assistance for military families by disbanding the Department of Defense-administered Family Subsistence Supplemental Allowance, or FSSA. It was determined that the FSSA benefit was duplicative, underutilized, hard to qualify for, and less valuable than SNAP, with as few as 100 military families utilizing FSSA.

Another significant barrier that prevents some military families from qualifying for SNAP is the fact that their off-base housing allowance counts as income when computing eligibility. It is my hope we remedy this.

Mr. Speaker, as we prepare for reauthorization of the Supplemental Nutrition Assistance Program, we must remember the needs of America's finest and their families, our American military. After all, nutrition matters.

AFFIRMING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

(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 to affirm the great work of the United States Environmental Protection Agency.

In my home community of Buffalo, New York, we have seen the EPA's effectiveness firsthand. Thirty years ago, the Buffalo River was declared biologically dead and ecologically destroyed because of industrial dumping of toxic waste directly into the river bed. Today, the Buffalo River has been remediated and continues to show vastly improved water quality.

The Great Lakes Restoration Initiative, administered by the EPA; the Buffalo Niagara Riverkeeper; and our corporate partner, Honeywell, have invested more than $70 million to remove 67,000 truckloads of toxic waste from the Buffalo River.

Today, the Buffalo River and adjacent land are helping to lead an economic and life-quality renaissance at the water's edge in Buffalo, New York.

TO THE CHINESE GOVERNMENT: IT'S TIME

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

Mr. HULTGREN. Mr. Speaker, it is a bitter reality that universal human rights are under daily assault around the world.

I rise today joining in celebration and in mourning with Chinese democracy activist Zhu Yufu. This past week, he turned 64, but he marked the occasion in prison.

Zhu Yufu has devoted his life to promoting democracy and human rights, to the ire of Chinese authorities. In 2012, he was condemned to 7 years imprisonment on unjust charges. Since then, his health has deteriorated, made worse by denial of medical care and inhumane treatment. His family fears for his life.

The poem that led to Yufu's imprisonment is called ''It's Time.'' I completely agree. It is time. It is time for the Chinese government to provide Zhu Yufu with proper medical treatment and humane care. More than that, it is time for the Chinese Government to release Zhu Yufu and political prisoners like him who are unjustly detained. It is time for the Chinese Government to recognize and support freedom of speech, assembly, thought, and belief.

PUT AMERICA FIRST INSTEAD OF THE KREMLIN

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, for the sake of our country, I was relieved that General Michael Flynn resigned from his post as National Security Adviser. Not only did he mislead the Vice President and the public on his secret conversations with the Russian government, he may have also violated Federal law.

But what is just as concerning is that the Trump administration was aware of General Flynn's misconduct weeks ago and did nothing about it. The American people deserve to know what President Trump knew, and when he knew it.

And let me be clear: General Flynn's resignation is not the end of the Trump administration's shady ties to Russia. We still don't know President Trump's financial interests in Russia because he refuses to release his tax returns.

We still don't know the extent of Russia's disturbing interference in our election because our calls for an investigation have been stonewalled.

And we just learned that the Trump campaign was in regular conversation with Russian intelligence officials.

President Trump's coziness with Vladimir Putin is an urgent matter of national security.

It is time that the Trump administration truly put America first, rather than the Kremlin.

AMERICAN HEART MONTH

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

Mr. ROSS. Mr. Speaker, I rise today to recognize American Heart Month and the need to encourage and support one another to be proactive in preventative heart care.

I would like to thank President Trump for honoring the tradition of dedicating February as American Heart Month so that we may continue our fight against heart disease and heart defects as a nation.

Heart disease is the leading cause of death in the United States. Every year, one in four deaths is caused by heart disease, and approximately 40,000 babies are born in the U.S. with a congenital heart defect, including myself.

The good news is that heart disease can often be detected earlier and even prevented when we are proactive, make healthy choices, manage our health conditions, and keep up with our annual physicals.

Communities, health professionals, and families can work together to create opportunities for people to make healthier life choices and to lessen the stigma and fear of simply going to the doctor.

As this is American Heart Month, I encourage all Americans to use this month to raise awareness about heart disease and heart defects, and how we can prevent, treat, and cope with them, both at home and throughout our communities.

Through the support of my family and friends, the guidance of my doctors, and the grace of God, I am blessed to be standing here to support those across our Nation who are affected in some way by heart disease and heart defects. My prayers and thoughts go out to every one of you.

I ask my colleagues to join me in promoting American Heart Month so that we can all help save precious lives.

WE OWE THE AMERICAN PEOPLE THE ABSOLUTE TRUTH

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

Mr. KILDEE. Mr. Speaker, National Security Adviser Michael Flynn's resignation is no substitute for answers to the serious questions that remain over President Trump's questionable connections to Russia, to Vladimir Putin.

Federal investigators believe that Flynn, who held secret communications with Russia's Ambassador, could have been compromised, or even the subject of blackmail. The Justice Department disclosed this danger to the White House weeks ago, yet the President allowed Mr. Flynn to continue in his position as National Security Adviser, after having that information disclosed to them.

This conduct could only be the tip of the iceberg. There are serious, unanswered questions that remain, and our

national security is at stake. Americans deserve answers.

Did the President or others know or direct Flynn's secret communications with Russia?

Why did the White House sit on its hands for weeks, even after being told its National Security Adviser could have been compromised?

Were Trump campaign officials colluding with Russians?

These are questions that the American people deserve answers to. We need a bipartisan, independent commission to examine these questions. The credibility of our government is at stake. Congress must act.

VOTERS TRUST TRUMP, NOT THE MEDIA

(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, despite the saturation of negative media coverage of President Trump, the people have spoken. A recent poll found that President Trump is thought more trustworthy than the news media.

The administration is considered truthful by 49 percent of registered voters, but the media is less trusted than the administration, with only 39 percent finding it honest. So President Trump is more credible than the liberal national media.

That is no surprise. If the media wants to increase their credibility, they should report the news fairly, objectively, and without malice.

INHUMANE HUNTING TECHNIQUES ON WILDLIFE REFUGES IN ALASKA

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

Ms. TITUS. Mr. Speaker, so far, in 2017, Donald Trump and the Republicans have targeted women, immigrants, and health care. Now they are setting their sights on bear cubs, wolves, and coyotes.

Republicans, in cahoots with the gun lobby and with trophy hunters, want to eliminate a rule that currently prohibits hunters from using brutal means to kill our majestic animals in Alaska's 16 wildlife refuges.

This rule prevents snaring and trapping bears, including cubs, hunting wolves in their dens, and shooting bears from helicopters, among other methods.

Now, those opposed to the rule say that it hurts Alaska's economy, but there is no evidence of that. In fact, big game hunting represents only 2 percent of wildlife-related recreation on our national wildlife refuges.

Meanwhile, the National Park Service has estimated that wildlife watchers, those who go to see wildlife, not to shoot them, contribute $1 billion to the State's economy.

I ask you: Is a trophy on the wall really worth it?

So please vote ''no'' on H.J. Res. 69 introduced by our colleague, Mr. YOUNG.

□ 1215

GENERAL MICHAEL FLYNN'S RESIGNATION

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

Mr. HUFFMAN. Mr. Speaker, I rise today to call for a nonpartisan, independent commission to immediately and thoroughly examine the influence in the 2016 election and at the Trump White House of the Russian Government. This House should have begun this critical oversight work immediately and served as a check on the White House to protect the American people, but it has failed to do so.

The resignation of General Michael Flynn has raised far more questions than it answered, and it is not acceptable to simply sit on our hands or to say that somehow the only problem is the leaks that exposed this misconduct and not the misconduct itself. That won't cut it.

The American people deserve to know the full picture of Russia's involvement in the election, of General Flynn's communication with Russian officials, and why President Trump took no action for weeks after learning of General Flynn's misconduct.

Unfortunately, this administration's idea of transparency is conducting sensitive national security discussions in the middle of a crowded Mar-a-Lago dining room in full view of his wealthy patrons. The American people deserve better. They deserve an independent, nonpartisan commission, and it is time for this House to do its job.

POTENTIAL CRIMES AND COVERUPS

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

Mr. JEFFRIES. Mr. Speaker, Donald Trump poses the greatest Presidential threat to our democracy since Richard Nixon. It is about the potential crimes and the potential coverup. Seventeen different intelligence agencies have concluded that the Russians interfered with the election in order to help Donald Trump. Top Trump cronies like Carter Page, Paul Manafort, and Michael Flynn all had regular communications with high-level Russian intelligence agents at the same time they were engaging in hacking.

The National Security Adviser resigned in disgrace because of illegal communication with the Russian Ambassador. The President refuses to denounce Vladimir Putin and continues to try to make Russia great again.

Connect the dots. It is time for House Republicans to do their job and put country ahead of party. Join us in a bipartisan investigation of the White House. What did the President know, and when did he know it?

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would remind Members to avoid improper references to the President.

TAKING CARE OF OUR VETERANS

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

Mr. YODER. Mr. Speaker, I rise today on behalf of the many veterans and the work that Congress is doing to support and represent them on the House floor this week. These are the heroes who keep us safe and secure each and every day.

This week, this body passed a few important bills to streamline access to care for veterans as well as provide new and better opportunities for veteran-owned businesses and veterans seeking employment.

Last month, the unemployment rate for Iraq and Afghanistan veterans increased to 6.3 percent, marking the fourth time in the last 7 months that group's percentage has been higher than the overall veteran unemployment rate. That means that about 211,000 Iraq and Afghanistan veterans are still looking for work. That is 211,000 too many.

That is why one of the bills we passed this week establishes a Federal program recognizing private businesses that employ veterans and engage in community service to help our veterans.

Mr. Speaker, helping our Nation's veterans who have sacrificed so much for us is a critical priority and remains one of the most important objectives of this Congress. I will continue to use my time and effort to fight for every opportunity to support them when they return home to give them the hero's welcome they deserve.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 15, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 15, 2017, at 9:19 a.m.:

That the Senate passed without amendment H.R. 255.

That the Senate passed without amendment H.R. 321.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

CONGRESS NEEDS TO SCRUTINIZE THE NEW ADMINISTRATION'S EXECUTIVE ORDERS

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to highlight the growing number of executive orders issued by President Trump and the silence from our House majority.

President Trump has signed 12 executive orders in the first 5 weeks in office. Many, like the border wall, the Muslim ban, and the ACA sabotage order, are highly misguided and exceed the intent of the law.

Congress has a constitutional duty to oversee and investigate the actions of the Executive. To date the House majority has said little and taken no action to oversee the Trump administration's abuse of power through executive orders.

When President Obama sat in the White House, the House majority called his administration every name under the sun. Agencies were closely scrutinized. Federal officials were regularly subject to hostile questioning.

Where is the oversight, Mr. Speaker? Where is the criticism? What happened to limiting executive power?

I hope my colleagues in the majority will uphold Congress' constitutional duties and vigorously scrutinize President Trump's actions and mounting abuse of power.

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. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 123 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 123

Resolved, That upon adoption of this resolution it shall be in order to consider in the House 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. 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 Majority Leader and the Minority Leader or their respective designees; 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. 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''. 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 Natural Resources; and (2) one motion to recommit.

SEC. 3. On any legislative day during the period from February 17, 2017, through February 24, 2017—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

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

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member of the Rules Committee, 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. BURGESS. 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 Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 123 provides for a rule to consider two Congressional Review Act resolutions which will undo burdensome and harmful regulations put into place by the Obama administration during the final hours of his Presidency. The rule brings before the House these resolutions so that Congress may remove, through the proper legislative process, rules promulgated by bureaucrats who remain unaccountable to the American people. This process allows those who are accountable—the elected Representatives in the Congress—to fight for their constituents' rights and liberties.

House Resolution 123 provides for a closed rule for each of the Congressional Review Act resolutions, both H.J. Res. 43 and H.J. Res. 69, the standard procedure for such resolutions, since the sole purpose of each is to remove a harmful regulation from the Federal Register.

The rule allows for 1 hour of debate, equally divided between the majority and the minority leader or their designees, for H.J. Res. 43, and 1 hour of debate, equally divided between the Chair and the ranking member of the Committee on Natural Resources, for H.J. Res. 69. On each resolution contained in the rule, the minority is afforded the customary motion to recommit.

H.J. Res. 43 is a joint resolution which would repeal the Obama administration's midnight rule that takes away States' ability to direct funding within their own borders to certain healthcare providers that conform to the States' values.

In her final days in office, Secretary Mathews Burwell pushed forward a rule that would require States to fund, with public dollars, facilities that perform abortions, potentially against the will of the people of that given State. This flies in the face of the 10th Amendment which grants to States the authority to make such decisions within their borders and to prioritize which healthcare providers should receive funding based on the greatest need in their own communities.

Those of us who care about the carefully crafted Federal system which our Founding Fathers set up, which allows different States to operate differently based upon their own values and priorities, recognize the Obama rule for what it is: a power grab by the Federal Government. This is why the House will take up this resolution today—to continue to fight for states' rights—and will repeal this burdensome regulation that ties the hands of every State legislature and ties the hands of every Governor in the Nation.

H.J. Res. 69 is a Congressional Review Act resolution to repeal an overreaching regulation by the United States Fish and Wildlife Service which usurps Alaska's ability to manage its own lands within its own borders. Federal law has long recognized that Alaska—that Alaska—and her elected officials are in the best position to make the decisions on what actions to permit on the public lands in that State, whether those lands are Federal, State, or private.

Despite this long precedent, codified by Congress in the Alaska National Interest Land Conservation Act, the Obama administration moved forward in its waning days with a rule that imposes Federal restrictions on lands that have been, up until the end of the Obama administration, successfully regulated by the State of Alaska. Like H.J. Res. 43, this resolution recognizes the important 10th Amendment protections put in place by the Founding Fathers in our Constitution which protects states' rights to govern within their own borders.

The Congressional Review Act is an important tool in maintaining accountability at the Federal level. Its necessity has never been more apparent than over the past few weeks where this Congress has needed to step in and remove burdensome and unbalanced regulations put in place by President Obama and his team just as they were walking out the door.

House Republicans today will stand up for the rights of our constituents against an out-of-control Federal bureaucracy. I urge my colleagues to support today's rule and the two underlying Congressional Review Act resolutions.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague from the Rules Committee for yielding me the customary 30 minutes.

Before I start, I include in the RECORD a letter from over 20 healthcare provider organizations regarding the danger of cutting certain providers off from title X funding because they also provide abortion with private funds.

FEBRUARY 3, 2017.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.
Hon. CHARLES SCHUMER,
Senate Minority Leader,
Washington, DC.
Hon. PAUL RYAN,
Speaker of the House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR LEADER MCCONNELL, SPEAKER RYAN, LEADER SCHUMER AND LEADER PELOSI: As organizations representing health care and public health professionals and the people they serve across the country, we strongly oppose any effort to prevent Planned Parenthood health centers from participating in federal health programs, including Medicaid and the Title X family planning program. Any proposal to exclude Planned Parenthood from public health programs will severely curtail women's access to essential health care services, including family planning, well-woman exams, breast and cervical cancers screenings, and HIV testing and counseling. At a time when there is much uncertainty about the future of affordable health care in our country, it is dangerous to cut off access to the life-saving preventive care that Planned Parenthood provides to some of our nation's most vulnerable patients.

Planned Parenthood health centers play a crucial role in improving the health and lives of people across the country. In fact, 2.5 million women, men and young people rely on Planned Parenthood for health care every year. For many women, Planned Parenthood is their only source of care—offering basic preventive services that are fundamental to women's health and well-being. More than 50% of Planned Parenthood health centers are in areas with health professional shortages, rural or medically underserved areas. In 2014 alone, Planned Parenthood health centers provided nearly 400,000 cervical cancer screenings and more than 360,000 breast exams. Additionally, Planned Parenthood provides contraceptive services for over 2 million patients and more than 4 million tests and treatments for sexually transmitted infections, including HIV. These services improve women's health, prevent an estimated 579,000 unintended pregnancies, and decrease infant mortality.

Policies that would exclude Planned Parenthood from public health funding would hurt millions of patients and undermine health care access in communities across the country. Limiting access to Planned Parenthood's approximately 650 health care centers across the country would prevent patients from having timely access to basic preventive health care services. Approximately 60 percent of Planned Parenthood patients access care through Medicaid and Title X, in addition to those who rely on other essential programs, including maternal and child health programs and Centers for Disease and Prevention (CDC) breast and cervical cancer screening programs. In some states, Planned Parenthood is the only provider participating in Title X, and more than 50 percent of Planned Parenthood health centers are located in a medically underserved or health professional shortage area. Because federal law already requires health care providers to demonstrate that no federal funds are used for abortion, prohibitions on funding for preventive care at Planned Parenthood health centers will only devastate access to these life-saving services.

In addition to limiting patients access to health care, defunding Planned Parenthood is not cost effective. The Congressional Budget Office (CBO) estimates that approximately 390,000 women would lose access and up to 650,000 patients could face reduced access to preventive health care within a year should Congress act to block all Medicaid patients from receiving care at Planned Parenthood health centers. The CBO also projects that excluding Planned Parenthood health centers from receiving reimbursement through the Medicaid program would result in a net cost to taxpayers of $130 million over 10 years because of the increase in unintended pregnancies without the contraceptive care provided by Planned Parenthood. Other publicly funded health centers would not be able to compensate for the loss of affordable family planning and reproductive health care services provided by Planned Parenthood.

Every day, we see the harmful impact that unequal access to health care has on women and communities across the country, and we therefore strongly support policies that improve access to affordable, quality health care. Policies that would deny Planned Parenthood public health funds only serve to cut millions off from critical preventive care, and we strongly oppose any effort to do so. We also recognize this as part of a broader effort to undermine access to safe, legal abortion and curtail access to other reproductive health care by limiting the ability of abortion providers to participate in public health programs.

Sincerely,

American Academy of Nursing, American Academy of Pediatrics, American College of Nurse-Midwives, American Congress of Obstetricians and Gynecologists, American Medical Student Association, American Medical Women's Association (AMWA), American Nurses Association, American Psychological Association, American Public Health Association, American Society for Reproductive Medicine, Association of Reproductive Health Professionals, Doctors for America, GLMA: Health Professionals Advancing LGBT Equality.

Midwest Access Project, The National Alliance to Advance Adolescent Health, National Family Planning & Reproductive Health Association, National Medical Association, National Physicians Alliance, North American Society for Pediatric and Adolescent Gynecology (NASPAG), Nurse Practitioners in Women's Health, Nursing Students for Sexual & Reproductive Health, Physicians for Reproductive Health, Society for Adolescent Health and Medicine, Society for Maternal-Fetal Medicine, Society of Family Planning.

Ms. SLAUGHTER. Mr. Speaker, I include in the RECORD a letter from myself and 161 other Members to Speaker RYAN opposing the Republican majority's efforts to undermine title X family planning programs and women's access to health care.

CONGRESS OF THE UNITED STATES,
Washington, DC, February 14, 2017.

Hon. PAUL RYAN,
Speaker of the House of Representatives, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: We write to express our grave concern for efforts to undermine Title X family planning. Despite promises to focus on jobs and the economy, Republicans have started the 115th Congress with a total assault on women's choices, access to care, and economic security by:

Charging ahead to sabotage and dismantle the Affordable Care Act (ACA) while making no promises to preserve vital protections for women;

Providing little to no details on their plans to replace ACA, while making a point to announce that their ACA repeal package will block access to Planned Parenthood, a high-quality, long-trusted provider of reproductive health services;

Rushing to impose and dramatically expand the global gag rule, harming women around the world; and

Advancing the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act (H.R. 7) through the House, effectively banning private insurance companies from covering comprehensive reproductive health services.

Now, with their most recent effort to weaken the Title X national family planning program through the Congressional Review Act, Republicans have demonstrated that they will stop at nothing to limit women's access to vital health care. Sadly, this includes contraception and family planning services that all women need.

For more than 40 years, Title X has served as a cornerstone of safety-net care. As the only dedicated source of federal funding for family planning, Title X allows a diverse network of providers to deliver high-quality care to low-income, uninsured, or underinsured individuals and to those seeking confidential care. In 2014 alone, Title X-funded clinics helped prevent approximately 904,000 unintended pregnancies, 326,000 abortions, and 439,000 unplanned births. In addition to direct clinical care, Title X also supports critical infrastructure needs for health centers, including new medical equipment and staff training that are not reimbursable under Medicaid and commercial insurance. This infrastructure is vital to ensuring safe, quality care at health centers which serve and provide basic health services to high-need populations.

Throughout both Democratic and Republican administrations, Title X has been interpreted to prohibit state actions that block providers or classes of providers from participating in a Title X project based on factors unrelated to a provider's qualifications to perform the required services. The networks include providers ranging from state, county, and local health departments as well as hospitals, family planning councils, Planned Parenthood affiliates, federally qualified health centers and other private non-profit organizations. In fact, in instances when states have passed laws to

limit provider participation in Title X, federal courts have consistently held that those state laws are contrary to, and preempted by, federal law.

In response to a growing number of states targeting family planning providers for exclusion from key federal health programs, including Title X, the previous Administration proposed the regulation ''Compliance with Title X Requirements by Project Recipients in Selecting Subrecipients.'' The regulation, which was finalized in December 2016, helps ensure patient access to family planning services and supplies through qualified providers by reiterating that ''no recipient making subawards for the provision of services as part of its Title X project may prohibit an entity from participating for reasons other than its ability to provide Title X services. During the rulemaking process, the Department of Health and Human Services received more than 145,000 comments, the vast majority of which supported the rule.

Women across the United States, and the men who support them, have had enough. It is unconscionable that this common sense clarification has become a political football for members of Congress who want to limit women's access to comprehensive reproductive health care. We urge you to stand in support of women and oppose this assault on contraceptive access and care.

Sincerely,

Judy Chu, Louise Slaughter, Diana DeGette, Frank Pallone, Jr., Earl Blumenauer, Suzan DelBene, Lois Frankel, Alcee L. Hastings, Brenda L. Lawrence, Sean Patrick Maloney, Jerry McNerney, Danny K. Davis, Eliot L. Engel, Raúl M. Grijalva, William R. Keating, Barbara Lee, Doris Matsui, Gwen Moore, Eleanor Holmes Norton, Jan Schakowsky.

Jackie Speier, Peter A. DeFazio, Katherine Clark, Dina Titus, Linda T. Sánchez, Mike Quigley, Mark Pocan, Grace F. Napolitano, Alma S. Adams, Mark Takano, Grace Meng, Yvette D. Clarke, Kathleen M. Rice, Brian Higgins, Debbie Wasserman Schultz, Pete Aguilar, Betty McCollum, Lucille Roybal-Allard, Suzanne Bonamici, Luis V. Gutiérrez, Raja Krishnamoorthi.

Scott H. Peters, Anna G. Eshoo, James P. McGovern, John Yarmuth, Wm. Lacy Clay, Gene Green, Jimmy Panetta, José E. Serrano, Joseph P. Kennedy, III, Carol Shea-Porter, Jared Huffman, Nita M. Lowey, Carolyn B. Maloney, Niki Tsongas, André Carson, Jerrold Nadler, Chellie Pingree, Zoe Lofgren, Seth Moulton, Kurt Schrader, C.A. Dutch Ruppersberger.

Sander M. Levin, Rick Larsen, Bill Foster, Frederica S. Wilson, Adam Smith, David Scott, Pramila Jayapal, Paul Tonko, Kathy Castor, Marc A. Veasey, Ted W. Lieu, Peter Welch, Ami Bera, Eddie Bernice Johnson, G.K. Butterfield, Steven Cohen, Henry C. ''Hank'' Johnson, Jr., Daniel T. Kildee, Beto O'Rourke, Julia Brownley.

Marcia L. Fudge, Tony Cárdenas, Joseph H. Crowley, Marcy Kaptur, Alan Lowenthal, Bill Pascrell, Jr., Albio Sires, Eric Swalwell, Joyce Beatty, Ron Kind, Pete Visclosky, Cedric L. Richmond, Al Green, Darren Soto, Juan Vargas, Mike Doyle, Bradley S. Schneider, Donald S. Beyer, Jr., Raul Ruiz, Elizabeth H. Esty.

Salud Carbajal, Robert A. Brady, Derek Kilmer, Gregory W. Meeks, Emanuel Cleaver, Theodore E. Deutch, Mike Thompson, Hakeem Jeffries, Adriano Espaillat, David N. Cicilline, Tim Ryan, Val Butler Demings, Adam B. Schiff, Brad Sherman, Rosa DeLauro, Bonnie Watson Coleman, Jim Himes, Donald Norcross, Michelle Lujan Grisham, Matt Cartwright.

John Conyers, Jr., Gerald E. Connolly, Debbie Dingell, David Loebsack, Stephen F. Lynch, Keith Ellison, Mark DeSaulnier, John Garamendi, Denny Heck, Jamie Raskin, Nydia M. Velázquez, Sheila Jackson Lee, David E. Price, James R. Langevin, Colleen Hanabusa, Robin L. Kelly, Terri Sewell, Ben Ray Luján, Josh Gottheimer, Susan Davis.

Cheri Bustos, Michael Capuano, Jacky Rosen, Norma J. Torres, Donald M. Payne, Jr., A. Donald McEachin, John Lewis, Joe Courtney, Ruben J. Kihuen, Brendan F. Boyle, Jared Polis, Ann McLane Kuster, Jim Cooper, Charlie Crist, Anthony Brown, Filemon Vela, Ed Perlmutter, Lisa Blunt Rochester, John Sarbanes, John B. Larson.

Members of Congress.

□ 1230

Ms. SLAUGHTER. Mr. Speaker, the majority is in the midst of an unprecedented and relentless assault on women's health—and many other regulations while we are at it—that are being overturned every day here.

Although it pledged to govern by prioritizing jobs and the economy, the majority is, instead, escalating its war on women with H.J. Res. 43, a dangerous continuation of its never-ending crusade against access to health care for women.

The majority started the 115th Congress by moving quickly to eviscerate the Affordable Care Act, a law that finally barred insurance companies from treating women as being a preexisting condition. Without this law, women once again would pay a higher rate for coverage than men.

Think about that for a moment. If everybody doesn't know it, before this law, single women paid from 10 to 57 percent more than men for their health insurance in States that allowed gender rating. A lot of people don't understand this, but it costs American women nearly a billion dollars every year. But Republicans are rushing to repeal the Affordable Care Act without anything to take its place.

The majority has also advanced H.R. 7, a sweeping bill that would go beyond even the Hyde amendment, a 40-year provision that has been around for four decades too long.

This legislation wouldn't just make this amendment permanent; it would also place unprecedented limits on women's access to reproductive health services even if they wanted to pay out of their own pockets to access constitutionally protected abortion services.

These moves by the majority, along with the President signing a dramatic expansion of the global gag rule immediately after taking office, have brought millions of people pouring into the streets in protest.

During the National Women's March, millions of people marched all across the country and even around the globe to defend women's rights. These marches were likely the largest day of protests in American history. More than half a million people took to the streets right here in the Nation's Capital. They were peaceful, without a single arrest reported anywhere in the country.

Far from respecting those rights, the majority is today considering a measure that marks an entirely new front in their war against women's rights. This is the most serious threat facing women so far in this Congress, and it is only February.

Programs supported by title X help provide lifesaving preventative healthcare services like contraception, cancer screening, and STD testing to the men and women who need them most.

It is outrageous that the majority today is trying to allow conservative State legislatures to pick and choose who can provide this essential care with Federal money. That is one of the worst things in the world. The luck of the draw of where you live will determine whether or not you have access that is entitled to all people from the Federal money. This would threaten health centers from coast to coast.

Mr. Speaker, we are facing the same problem today we faced for a very long time: men in blue suits and red ties determining what women can and should do when it comes to their own health. They believe the majority of persons—women—in the United States are incapable of making their own decisions.

Do you think that about your own mother or your wife?

Because Washington, D.C., is controlled by this Republican majority, the stakes for women are higher today than they have been in generations, as we turn over laws passed by the elected government of the District of Columbia.

Mr. Speaker, Republican leaders in Congress turn a deaf ear to the majority of Americans who oppose this dramatic government intervention into women's health care. They, unfortunately, have the votes to pass it, but they will have to reckon with the overwhelming majority of the public who understands it is time for the government to get out of the business of taking away women's healthcare rights.

Mr. Speaker, let me take a personal moment to speak about the departure of a long-time member of my staff on the Rules Committee. I have always believed that this committee is like family and that we have one of the most respected staffs on Capitol Hill. Adam Berg, the deputy staff director and counsel on the Democratic staff personifies this.

After a decade of working for the Rules Committee, Adam is beginning a new chapter on a different committee in the House of Representatives. His knowledge and guidance these last years have been immeasurable.

During his time here, he has married his wife, Erika, who is beautiful and talented, and became a father to his daughter, Ariel, who was singing songs with her mother at the age of 3 months. That is a precocious child.

Adam has played a key role as this committee brought landmark legislation to the floor of the House, including Dodd-Frank, the Affordable Care Act, and legislation to raise the Federal minimum wage.

The committee wouldn't have been as effective without Adam's counsel, and he will be greatly missed. I wish him nothing but the best in his new endeavor.

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

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this rule, which would enable States to discriminate against healthcare providers and deny women access to critical healthcare services.

This rule would put the only Federal program exclusively dedicated to family planning and reproductive health services in jeopardy. It reverses the Health and Human Services title X rule prohibiting discrimination against title X healthcare providers. It would have devastating healthcare consequences.

In 2015, 88 percent of patients at title X clinics received subsidized or no-charge care, and many of these clinics provide primary health care in addition to family planning services. This could upend public health networks in communities across the country.

Supporters of this amendment claim that other health providers can absorb the clients who would lose access to their title X clinics. This is false. Community healthcare centers have said that they do not have the capacity, and they are often not located near these patients.

We need to protect these healthcare providers. We need to uphold our responsibility to the American people to provide critical services to those who need them. I cannot and will not support this rule or this resolution. It is detrimental to women's health in this country.

Mr. BURGESS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I do want to point out that H.J. Res. 43 would repeal the Obama administration's rule and allow States to enjoy the freedom and flexibility to distribute title X grant money in a way that serves the needs of their constituents.

Just in the way of background, December 16, 2016, the Obama administration finalized a rule that prevents States from eliminating abortion providers from title X grant distributions. Title X is a family planning program authorized in 1970, and was intended to provide family planning services to low-income women. The Obama rule was widely perceived as an attempt by the Obama administration to require States to fund Planned Parenthood, the Nation's largest abortion business.

Prior to the Obama administration's rule, States were free to direct their title X funds to healthcare providers that did not participate in abortion. When States had this freedom, they were able to choose to invest in women's health care instead of investing in Big Abortion.

States should be able to choose to prioritize family planning funds to health clinics that offer a full range of healthcare services, including family planning, but do not participate in abortion.

States can fully support family planning and other health services without funding abortion providers like Planned Parenthood. Planned Parenthood only comprises 13 percent of approximately 4,100 title X service sites.

Redirecting funds away from abortion providers does not reduce funds for the title X program. When States set criteria that eliminates abortion providers from title X distributions, those funds are then directed to other clinics.

Eighty-seven percent of current title X service sites are comprised of local health departments, local hospitals, and Federally qualified health centers.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I think I need to make this point one more time. I really believe that everybody in this House understands that not a dime of Federal money is used for abortions. It never has been, never will. There is meticulous care taken by Planned Parenthood to separate those funds. They have never been questioned in any way by the IRS as to how those funds are being used.

I am sick and tired of everybody saying you can't give anything to Planned Parenthood. The money that goes to Planned Parenthood from this Federal Government goes to reimburse for services rendered for the things I had talked about before: cervical cancer tests, cancer tests of all sorts, and health care that they cannot get anywhere else, such as screening for STDs. That is totally separate.

Yet, that fable that Federal money is used for abortions if you fund Planned Parenthood is totally false. I think it is time that grownups that can read in the House of Representatives do away with that notion.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Speaker, I rise today to speak against this rule and H.J. Res. 69, which we will be debating tomorrow.

Last year, the U.S. Fish and Wildlife Service updated its regulations for national wildlife refuges in Alaska to prohibit the cruelest killing methods of wolves, grizzly bears, and other native mammals in Alaska.

The rule FWS put forward makes sense. It even makes clear that it does not apply to subsistence hunting or restrict the taking of wildlife for public safety purposes or in defense of property. Yet, here we are, just 6 months later, and Republicans are pushing through this resolution to overturn the rule and make egregious and cruel hunting methods common practice in Alaska.

They are inhumane methods, such as denning of wolves and their pups, using airplanes to scout and shoot grizzly bears, and trapping grizzly bears with steel-jawed traps. These cruel methods should never be allowed anywhere. This resolution is irresponsible and inhumane.

As with other Congressional Review Act resolutions, H.J. Res. 69 will have a chilling effect. This and future administrations would be prohibited from ever issuing a similar rule, making inhumane and reprehensible hunting methods the law of the land.

This resolution handcuffs our Federal wildlife managers from protecting our refuges, our national resources, and our wildlife. We must ensure that our children and grandchildren will someday enjoy the majestic national beauty of the native mammals in Alaska and across our great Nation.

I urge my colleagues to reject this rule and also vote ''no'' on H.J. Res. 69.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I reference a letter that was sent to Speaker PAUL RYAN and Majority Leader KEVIN MCCARTHY by a number of sports-related organizations.

They say: ''We write representing organizations that collectively include millions of wildlife conservationists . . . wildlife enthusiasts, and wildlife scientists, in strong support of H.J. Res. 49 from Cong. YOUNG of Alaska. . . . Our community exhausted all Executive Branch appeals and remedies urging the FWS to slow down the Proposed Rule, and revise it to reflect a proposal mutually agreed to by the State of Alaska and the FWS; all to no end. It is time for Congress to nullify this final rule.''

They go on to say: ''This final rule boldly preempts the authority of the Alaska Department of Fish and Game to manage wildlife for both recreational and subsistence hunting on NWRs, which authority of the state is affirmed by Congress in the Alaska Statehood Act, the Alaska National Interests Land Conservation Act, and the National Wildlife Refuge System Improvement Act. The FWS final rule was premised on a meeting as a priority the FWS policy on Biological Integrity, Diversity and Environmental Health. . . . Many members of our organizations enjoy Alaska's bounty of fish and wildlife resources and their habitats for unrivaled hunting, fishing and outdoor experiences. The sustainable management of these natural resources needs to be led by the State working in cooperation with the FWS. We urge that you favorably consider H.J. Res. 49 which will restore the jurisdictional state-federal relationship as Congress has previously directed.''

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

□ 1245

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. PANETTA).

Mr. PANETTA. Mr. Speaker, I rise today to speak against restricting the family planning services that are provided by title X.

Just prior to signing title X into law, back in 1970, President Richard Nixon recognized how essential family planning was to public health. He actually sent a message to Congress telling them, ''no American woman should be denied access to family planning assistance because of her economic condition.'' Last year, Mr. Speaker, President Obama reaffirmed that sentiment by making family planning services a part of basic health care, regardless of where one lives. Although Presidents Nixon and Obama couldn't be more divided in their politics, even they were united behind title X. I believe this is understandable, considering how title X ensures basic preventive health care and family planning services for 4 million low-income people every year.

In my district, title X family planning services saves an average of $7 on Medicaid-related costs for every dollar of Federal investment. That means that clinics in my district, like Mar Monte, are able to help more women and men receive a full range of healthcare services.

Rather than restricting family planning clinics, we should be promoting, we should be protecting, and we should be preserving access to those vital services, especially for those families that value and need it most.

Mr. BURGESS. Mr. Speaker, I include in the RECORD a letter written to the Honorable Sylvia Mathews Burwell signed by 110 Members of the House and Senate to express strong opposition to the Department of Health and Human Services' September 7, 2016, notice of proposed rulemaking titled ''Compliance with Title X Requirements by Project Recipients in Selecting Subrecipients.''

CONGRESS OF THE UNITED STATES,
Washington, DC, September 23, 2016.

Hon. SYLVIA MATHEWS BURWELL,
Secretary, Department of Health and Human Services, Washington, DC.

DEAR SECRETARY BURWELL, We write to express our strong opposition to the Department of Health and Human Services (HHS) September 7, 2016, notice of proposed rulemaking titled ''Compliance with Title X Requirements by Project Recipients in Selecting Subrecipients.'' Although we appreciate the Department's intent to follow proper regulatory procedure pursuant to the Administrative Procedure Act, HHS's purpose for engaging in the rulemaking appears on its face to be an attempt to subvert the will of elected representatives.

Moreover, apart from the Department's impetus for the notice of proposed rulemaking, we also question whether the Department's stated rationale adequately supports its conclusion that providers with a reproductive health focus are more ''effective'' than other health providers that offer comprehensive care for women and men. Nowhere in the proposed notice of rulemaking does HHS clearly define what it means to provide Title X services in an ''effective'' manner. It does appear to assert that a number of factors—such as the range of contraceptive methods on-site, the number of clients in need of publicly funded family planning services served, and the availability of preconception care—distinguish providers with a reproductive health focus as more ''effective'' and ''high quality'' than other types of providers. However, that list of factors falls far short of all of the attributes and recommendations included in the Centers for Disease Control and Office of Population Affairs report entitled ''Providing Quality Family Planning Services: Recommendations of CDC and the US Office of Population Affairs.''

To further complicate the argument about quality and effectiveness, the data cited in the notice of proposed rulemaking is not adequate for determining patient outcomes. The Department relies heavily on utilization and demographic statistics, but appears to lack hard data regarding actual patient outcomes and need, as the Department does not require grantees to track patients or verify their income. As you know, the issue of inadequate data has previously been raised by the Institute of Medicine (IOM), after the HHS Office of Family Planning in 2007 asked IOM to provide a critical review of the Title X Family Planning Program. In addition to finding ''no clear, evidence-based process for establishing or revising program priorities and guidelines,'' IOM stated the following in its May 2009 Report Brief:

''The committee concludes that the program does not collect all the data needed to monitor and evaluate its impact. Therefore, the committee proposes a comprehensive framework to evaluate the program and assess how well clinics meet the family planning needs of the program's clients. The committee concludes that additional data will be needed in the areas of client needs, structure, process, and outcomes in order to assess the program's overall progress.''

We welcome evidence that this recommendation has been fully adopted, but are unaware of any clear evidence confirming that to be the case. If HHS cannot clearly define an ''effective'' or ''high quality'' provider, it is unclear to us how state and local project grantees are supposed to do so in order to comply with this proposed rule. It is also therefore unclear how HHS will be able to accurately determine in every case whether state or local project recipients—who are generally closer to and more familiar with subrecipients and the patient base in their geographical region—have considered inappropriate criteria in evaluating subrecipients. Rarely do the American people benefit when the federal government attempts to substitute its judgment for that of state or local governments—particularly when the criteria used to inform that judgment are unclear, and that judgment is not supported by coherent and impartial facts.

Finally, if HHS is going to assert the authority to adapt its rules in order to address changing circumstances, we implore HHS to consider the recent general shift in health care policy toward comprehensive care. As HHS states on its website, in addition to assisting individuals and couples in planning and spacing births, part of the mission of Title X is to contribute to ''improved health for women and infants.'' HHS's suggestion that subrecipients like federally qualified health centers—which provide greater preventive and primary health care services than providers with a reproductive health focus—are per se less ''effective'' than providers with a reproductive health focus does not comport with that stated mission.

We urge HHS to reconsider this overreaching and ill-supported rule. We will continue to closely monitor this proposed rulemaking, and intend to submit this letter as a formal comment. We look forward to a detailed response from your Department.

Sincerely,

JONI K. ERNST,
United States Senator.

DIANE BLACK,
United States Congressman.

Senators Roy Blunt (R–MO), John Boozman (R–AR), Bill Cassidy (R–LA), Mike Crapo (R–ID), Ted Cruz (R–TX), Steve Daines (R–MT), Mike Enzi (R–WY), Deb Fischer (R–NE), James Inhofe (R–OK), James Lankford (R–OK), Mike Lee (R–UT), Jerry Moran (R–KS), Jim Risch (R–ID), Pat Roberts (R–KS), Marco Rubio (R–FL), Ben Sasse (R–NE), Tim Scott (R–SC), David Vitter (R–LA).

In addition, Congressman Robert Aderholt (R–AL), Rick Allen (R–GA), Brian Babin (R–TX), Lou Barletta (R–PA), Andy Barr (R–KY), Gus Bilirakis (R–FL), Marsha Blackburn (R–TN), Charles Boustany, Jr. (R–LA), Kevin Brady (R–TX), Michael Burgess (R–TX), Earl ''Buddy'' Carter (R–GA), Tom Cole (R–OK), Chris Collins (R–NY), Doug Collins (R–GA), Mike Conaway (R–TX), Ron DeSantis (R–FL), Scott DesJarlais (R–TN), Jeff Duncan (R–SC), John Duncan, Jr. (R–TN).

Stephen Fincher (R–TN), Chuck Fleischmann (R–TN), John Fleming, (R–LA), Bill Flores (R–TX), Jeff Fortenberry (R–NE), Virginia Foxx (R–NC), Trent Franks (R–AZ), Bob Gibbs (R–OH), Louie Gohmert (R–TX), Paul Gosar (R–AZ), Trey Gowdy (R–SC), Tom Graves (R–GA), Glenn Grothman (R–WI), Andy Harris (R–MD), Vicky Hartzler (R–MO), Jeb Hensarling (R–TX), Jody Hice (R–GA), Tim Huelskamp (R–KS), Bill Huizenga (R–MI), Randy Hultgren (R–IL), Lynn Jenkins (R–KS).

Bill Johnson (R–OH), Sam Johnson (R–TX), Walter Jones (R–NC), Mike Kelly (R–PA), Trent Kelly (R–MS), Steve King (R–IA), Doug LaMalfa (R–CA), Doug Lamborn (R–CO), Robert E. Latta (R–OH), Daniel Lipinski (D–IL), Barry Loudermilk (R–GA), Mia Love (R–UT), Blaine Luetkemeyer (R–MO), Kenny Marchant (R–TX), Cathy McMorris Rodgers (R–WA), Rep. Mark Meadows (R–NC), John Moolenaar (R–MI), Markwayne Mullin (R–OK), Randy Neugebauer (R–TX), Pete Olson (R–TX).

Steven Palazzo (R–MS), Gary Palmer (AL), Steve Pearce (R–NM), Collin Peterson (D–MN), Robert Pittenger (R–NC), Joe Pitts (R–PA), Ted Poe (R–TX), Bill Posey (R–FL), Tom Price (R–GA), John Ratcliffe (R–TX), Martha Roby (R–AL), Phil Roe (R–TN), Dana Rohrabacher (R–CA), Peter Roskam (R–IL), Keith Rothfus (R–PA), David Rouzer (R–NC), Steve Scalise (R–LA), Austin Scott (R–GA).

James Sensenbrenner, Jr. (R–WI), Pete Sessions (R–TX), John Shimkus (R–IL), Adrian Smith (R–NE), Chris Smith (R–NJ), Ann Wagner (R–MO), Tim Walberg (R–MI), Randy Weber (R–TX), Brad Wenstrup (R–OH), Joe Wilson (R–SC), Kevin Yoder (R–KS), and Ted Yoho (R–FL).

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

Ms. SLAUGHTER. I yield myself the balance of my time to close.

Mr. Speaker, we are deeply concerned by reports from our intelligence community regarding the foreign interference in our most recent election. The fears have only been compounded by the troubling revelations published in The New York Times last night that members of the Trump campaign had been in frequent contact with Russian intelligence officials during that campaign.

Mr. Speaker, the future of our democracy is at stake. We are seeing the

same kinds of things that have happened all over Europe, as governments have been changing away from democracies. It is at stake here, and it is time this Republican-controlled Congress does its job and gets to the bottom of this.

Mr. Speaker, 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.

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 gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I recently had the privilege of meeting hundreds of constituents who traveled from Rochester, New York, to Washington, D.C., for the Women's March on Washington. Some of them came with three generations, and it was most impressive, but it is troubling to me that we are fighting many of the same battles that were fought and won generations ago.

The unprecedented marches and rallies that have been happening are necessary because of efforts like this to continually chip away at women's healthcare rights. The sad reality is that politicians have always worked to put up new roadblocks between women and their health care. It has always been my personal belief that when faced with a decision that needs to be made about a pregnancy, a woman should consult whomever she chooses—certainly her husband, her spiritual adviser, her medical adviser, but no one wants to wait in the room until a Congressperson gets there to make the final decision. We are going way beyond our depth to try to make that decision for persons. The government should not be in the business of doing that. The majority has made attacking women's constitutional rights the first order of business this year, working alongside our new President, and it is shameful.

Lastly, Mr. Speaker, the other measure before us today would repeal the Alaska predator rule which protects the interests of all Americans in national wildlife refuges while banning some of the most inhumane tactics for killing, like killing black bears from an airplane and killing coyote pups in their dens. We should be listening to scientists who study and understand these species, not an ideological minority that sees every animal with teeth as a threat to civilization and a potential addition to their trophy hunting collection.

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

Mr. BURGESS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, in a time when so many Americans are looking for ideas and policies we can unite around, one point of agreement stands out. There is strong consensus among Americans that they do not want their taxpayer dollars being used to fund abortions. A Marist poll released in January revealed that 61 percent of Americans feel this way.

States have always had the freedom to direct funds away from abortion providers, such as the Nation's largest abortion provider, Planned Parenthood, and there are many reasons States may wish to do so. The most important reason, one that we should all carefully consider, is that abortion is not health care. Abortion takes the lives of unborn children and hurts women. Many States have recognized this tragic reality and, as a result, have chosen to award funds to health clinics and organizations that do not provide abortions.

But in December, the Obama administration issued a regulation that forces many States to drastically alter their previous course of action. The regulation requires States to include abortion providers as recipients of title X grant distributions. Not only does this regulation ignore the American people's wish that their tax dollars be directed away from abortion providers, it also denies States the flexibility to choose to allocate title X funds in a way that meets the needs of their citizens.

H.J. Res. 43 disapproves of this unacceptable regulation, allowing States to return to the status quo under which they were operating prior to the rule's issuance. If States wish to disburse title X funds away from abortion providers, that wish should be respected. For these reasons, I urge my colleagues to vote in favor of this rule and H.J. Res. 43.

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

Mr. Speaker, today's rule provides for the consideration of two critical Congressional Review Act resolutions to repeal burdensome Federal regulations dropped on the doorstep of the American people in the waning hours of the Obama administration. The rules the House will be voting to repeal today would infringe upon states' rights to govern themselves within their own borders and would impose new Federal requirements and oversight in contravention of the 10th Amendment. This is why removing these regulations is critical. It is critical to maintaining the proper State-Federal balance that our Founding Fathers so carefully crafted in our Constitution.

I thank Representative DIANE BLACK and Representative DON YOUNG for their work on these pieces of legislation to protect states' rights. I urge my colleagues to vote "yes" on the rule and "yes" on the two underlying resolutions.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 123 OFFERED BY MS. SLAUGHTER

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

SEC. 4. 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. The first reading of the bill shall be dispensed with. 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. 5. 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. BURGESS. 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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 233, nays 190, not voting 8, as follows:

[Roll No. 93]

YEAS—233

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 (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
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
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—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
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
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Carter (GA)
Cummings
Davis, Rodney
Mulvaney
Payne
Poe (TX)
Soto
Zinke

□ 1318

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 93.

Stated against:

Mr. SOTO. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 93.

The SPEAKER pro tempore (Mr. COLLINS of New York). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 233, nays 188, not voting 10, as follows:

[Roll No. 94]

YEAS—233

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 (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)

Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
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

NAYS—188

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
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
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
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
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Blumenauer
Carter (GA)
Cummings
Lynch
Mulvaney
Payne
Poe (TX)
Roskam
Titus
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1325

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.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 127

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ETHICS.—Mr. Cohen.

(2) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Sarbanes.

(3) COMMITTEE ON SMALL BUSINESS.—Mr. Schneider.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO DRUG TESTING OF UNEMPLOYMENT COMPENSATION APPLICANTS

Mr. BRADY of Texas. Mr. Speaker, pursuant to House Resolution 99, I call up the joint resolution (H.J. Res. 42) disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 99, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 42

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Department of Labor relating to ''Federal-State Unemployment Compensation Program; Middle Class Tax Relief and Job Creation Act of 2012 Provision on Establishing Appropriate Occupations for Drug Testing of Unemployment Compensation Applicants'' (published at 81 Fed. Reg. 50298 (August 1, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Texas (Mr. BRADY) and the gentleman from Massachusetts (Mr. NEAL) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.J. Res. 42, currently under consideration.

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

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Next Wednesday, February 22, will mark 5 years since the Middle Class Tax Relief and Job Creation Act was signed into law. This 2012 law has made important reforms in the unemployment insurance system, improvements that were specifically designed to help more out-of-work Americans successfully return to the workforce.

□ 1330

This included a key provision which overturned a 1960s-era ban by the Department of Labor on drug screening and testing of unemployment insurance applicants.

Unemployment insurance serves those that have lost their jobs through no fault of their own. It seeks to promote swift reemployment through several key requirements. Namely, to be eligible for unemployment insurance benefits, applicants must be able to work, available to work, and actively seeking work. So if a worker loses his or her job due to drug use, that worker is not truly able to work. In addition, if a worker cannot take a new job because they can't pass a mandatory drug test from their employer, this worker is not truly available to work either.

In recognition of this issue, the 2012 Middle Class Tax Relief and Job Creation Act allowed but did not require States to drug screen and test certain unemployment applicants, specifically those seeking a job or an occupation that regularly required new employees to pass a drug test. I was proud to lead this effort in 2012 because I knew it would have a meaningful impact on the lives of many Americans struggling with drug use.

The goal is simple: get the incentives right in unemployment insurance so that Americans can confront and overcome these challenges.

With a growing number of employers now requiring drug tests for new workers, we wanted to empower these out-

of-work Americans to be ready to pass that drug test, take that new job, and get back on the path to earning their own success.

My home State of Texas was one of the first to step up when this provision was established by the 2012 law. They even changed their own laws to get ready. But before this provision could be implemented by States, the law required the Department of Labor to issue a regulation defining those occupations that regularly conduct drug testing. The intent was to match real-world expectations from employers.

In a 2012 hearing of the Committee on Ways and Means' Human Resources Subcommittee, an official from the Department of Labor assured us the rule could be drafted quickly and according to congressional intent. Well, despite those assurances, months went by with no action from the Obama administration.

During that time, the Ways and Means Committee held another hearing on this issue and even sent a letter to the Department of Labor in anticipation of the regulation. We urged them to craft the rule broadly, which was consistent with what we were hearing from businesses.

In October of 2014, more than 2 years after the law was passed, the Department issued its proposed rule. Counter to our recommendations, the draft rule was incredibly narrow. So narrow, in fact, that States like Texas would be severely limited in their ability to successfully implement an unemployment insurance drug testing program.

Again, the Ways and Means Committee made our concerns known to the Obama administration by submitting a public comment on the draft rule, calling for significant revisions. We made clear that the proposed rule did not faithfully adhere to the intent of Congress, and these same concerns were also echoed in other public comments from prominent stakeholders.

Two more years went by. Meanwhile, Congress continued to press the administration to revise the rule so it followed the intent of the bipartisan law.

That brings us to August of last year, when, at long last, the Department of Labor published its final rule. And just like the proposed rule 2 years earlier, it ignored the intent of Congress. It disregarded most of the comments and the concerns of stakeholders. Above all, the final rule directly undermined the ability of States to implement this important bipartisan reform that would help unemployed workers in their quest to find a good-paying new job.

So on his way out of office, former President Obama flat out refused to implement the law he signed in 2012. Instead, he directed the Department of Labor to issue a regulation that effectively blocks States from taking action.

Mr. Speaker, the American people are sick of Washington not keeping its promises. They are sick of unaccountable Federal bureaucrats abusing their authority to undercut the will of Congress and the American people. And this eleventh-hour regulation by the Obama Department of Labor is a prime example of just that.

The debate we are having today is not about the merits of drug testing unemployment insurance applicants. That is now for the States to decide because, in 2012, Congress passed a law providing them—not the Federal Government—with the ability to do so.

This debate is about placing a check and balance on blatant executive overreach that all but prohibits States from moving forward with this reform. More importantly, it is about ensuring that the will and the intent of this body is upheld.

In closing, I thank the House for its consideration of H.J. Res. 42. I urge all my colleagues to join me in supporting its passage.

Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska (Mr. SMITH) be permitted to control the remainder of my time.

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

There was no objection.

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

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

Mr. Speaker, I rise in opposition to H.J. Res. 42, a measure disapproving the rule submitted by the Department of Labor regarding drug testing unemployment compensation applicants. This legislation would overturn a Department of Labor regulation which, as directed by the Middle Class Tax Relief and Job Creation Act of 2012, defines the occupations in which States may require unemployed workers to take drug tests as a condition of collecting earned unemployment benefits. Consistent with the Fourth Amendment, which protects us against searches without reasonable cause, the regulation limits drug testing to occupations where drug testing is required, like pipeline safety, some transportation operators, and jobs that require carrying a gun.

Many communities are facing a rising rate of drug use, including my hometown of Springfield. Congress could and should do more to help people struggling with addiction, but the legislation that we are debating today has nothing to do with fighting drug abuse. It is about allowing States to put one more time-consuming, humiliating obstacle in the way of Americans who work hard and were laid off from their jobs and need unemployment insurance to pay the bills while they look for new jobs. As a reminder, in the aftermath of the recession, the unemployment rate in America went to 10 percent.

There is no evidence that unemployed workers have higher rates of drug abuse than the general population. In fact, logic suggests that rates of serious drug abuse are lower. To be eligible to collect unemployment, a worker must have substantial, recent work experience. He or she must not have been fired for cause. And workers can only collect unemployment insurance if they demonstrate they are actively searching for work.

Instead, it appears that some States may be trying to limit the number of workers who collect unemployment insurance when they are laid off as a way to reduce pressure on underfunded unemployment trust funds. More than half of the State unemployment trust funds are still insolvent, years after the Great Recession.

Dozens of States have changed their eligibility criteria for unemployment benefits, imposed administrative hurdles to filing for unemployment, or cut the number of weeks benefits can be received while individuals search for a job. Partly because of those changes, only about one in four unemployed workers in the United States receive unemployment benefits, even though the vast majority of them worked for employers who paid unemployment payroll taxes on their wages. That is the lowest level of benefit receipt among laid-off workers since the Federal-State unemployment insurance program began.

Instead, we should be here crafting bipartisan policies to strengthen unemployment insurance protections to help workers who genuinely want to work to pay their bills while they are looking for new jobs. I remind our colleagues to look at the worker participation rate, not encouraging States to create more obstacles.

I hope that both sides of the aisle will vote ''no'' on this resolution.

Mr. Speaker, I ask unanimous consent that the gentleman from Illinois (Mr. DANNY K. DAVIS) control the remainder of my time.

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

There was no objection.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.J. Res. 42 disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

The goal of the 2012 bipartisan law signed by President Obama in February 2012 is to reassure employers who fund the unemployment compensation system that unemployment compensation claimants reentering the workforce are truly able and available for work.

When I speak with employers in Nebraska's Third District, they express a strong desire to hire individuals in a way that is beneficial for both the employer and the employee.

According to UWC, the national association representing businesses in the areas of unemployment compensation

and workers' compensation: ''The regulations adopted in final form not only severely limited the circumstances under which a state may conduct a drug test, but also unduly limited the types of tests that a state would be permitted to conduct. . . .''

States, which are responsible for administration of the unemployment compensation program, are also concerned.

Back in 2014, Wisconsin Governor Scott Walker wrote to the Secretary of Labor saying: ''Providing States more flexibility in defining occupations that regularly conduct drug testing not only better serves the public interest, but recognizes the unique labor force and diversity in industry in each State.''

In recognition of the support we have received from employers who fund the system and States which administer it, I include in the RECORD their letters of support.

FEBRUARY 10, 2017.

Hon. KEVIN BRADY,
Chairman, House Ways and Means Committee, Washington, DC.

DEAR CHAIRMAN BRADY: We write to you today in support of H.J. Res. 42, your legislation that would disapprove of the United States Department of Labor's recent regulation regarding states' ability to drug test individuals who apply for unemployment insurance (UI).

Congress authorized the Labor Department to craft a rule that would provide states the option to drug test unemployment insurance applicants. Unfortunately, the Obama Administration drafted the rule too narrowly, undermining the intent of Congress and permitting drug testing in too few instances.

Drug testing UI applicants can help individuals suffering from substance abuse to access necessary care and treatment so they may re-enter the workforce as healthy and productive members of society. We believe this rule should be replaced with a new rule that allows increased flexibility for states to implement UI drug testing that best fits the needs of each state.

Thank you for introducing this important legislation and we look forward to working with Congress on this issue going forward.

Sincerely,

SCOTT WALKER,
Governor of Wisconsin.
GARY R. HERBERT,
Governor of Utah.
GREG ABBOTT,
Governor of Texas.
PHIL BRYANT,
Governor of Mississippi.

STATE OF NEBRASKA,
OFFICE OF THE GOVERNOR,
Lincoln, NE, February 14, 2017.

Re H.J. Res. 42—Drug Testing of Unemployment Compensation Recipients.

Hon. ADRIAN SMITH,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN SMITH: Thank you for being a co-introducer of House Joint Resolution 42. The regulations which H.J. Res. 42 seeks to disapprove greatly exceed the authority granted to the U.S. Department of Labor under Section 2105 of the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112–96).

The U.S. Department of Labor regulations effectively limit the application of P.L. 112–96 authorized drug testing to the point that a state is, for all practical purposes, prevented from adopting a meaningful drug testing program for unemployment compensation claimants. These regulations are an exhibit of executive overreach where the U.S. Department of Labor effectively seeks to block the implementation of an Act of Congress.

I thank you for your efforts to restore to the states their right to enact drug testing requirements for unemployment compensation claimants.

Sincerely,

PETE RICKETTS,
Governor.

UWC,
Washington, DC, February 7, 2017.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.
Hon. RICHARD NEAL,
Ranking Member, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN BRADY AND RANKING MEMBER NEAL: I am writing on behalf of UWC—Strategic Services on Unemployment and Workers' Compensation (UWC) in support of Resolution H.J. Res 42 that would disallow the final regulations posted by the United States Department of Labor on August 5, 2016.

UWC is a national association representing business, specifically in the areas of Unemployment Compensation and Workers' Compensation. UWC members include many Fortune 500 companies as well as business associations and small businesses impacted by unemployment law and policy.

The regulations as posted in final form are inconsistent with the intent of Congress in enacting the Middle Class Tax Relief and Job Creation Act of 2012 and unduly restrict state agencies choosing to test applicants for the use of controlled substances.

Drug testing is a critical requirement of employment in many industries and generally in determining whether a prospective employee will be able to perform the responsibilities of work for which the individual has applied. The results of drug tests are also indications of whether an individual is able to work and available to work so as to be eligible to be paid unemployment compensation.

It is a federal statutory requirement of administrative grants to states that as a condition of being paid unemployment compensation for a week or weeks an individual must be able to work, available to work, and actively seeking work. The additional authority provided in Section 2105 of the Middle Class Tax Relief and Job Creation Act of 2012 permitted states to test for controlled substances consistent with the able to work and available to work requirements that were also included in the act.

The regulations adopted by the U.S. Department of Labor were so narrowly drawn as to severely limit states from electing to provide for drug testing of applicants. By limiting the time within which a test may be conducted to the period between the date of application and the date at which the applicant began to claim a week of unemployment compensation, such a test would be less likely to connect a positive drug test with a subsequent week of unemployment compensation that could be claimed up to 52 weeks after the date of initial application.

The effect of such an interpretation is to render a test useless for weeks claimed many weeks after the individual became unemployed and prohibit testing for the weeks of unemployment compensation as they are claimed.

The regulations adopted in final form not only severely limited the circumstances under which a state may conduct a drug test, but also unduly limited the types of tests that a state would be permitted to conduct, the claimants that could be tested, and the occupations with respect to which tests could be conducted.

A number of states have indicated an interest in enacting legislation consistent with federal law to permit drug testing, but the severe limitations imposed by the regulations have frustrated administration of drug testing as part of the UI administrative process.

Employers pay the federal and state unemployment taxes required to fund administration and benefits paid through the Unemployment Insurance system. Drug testing of UI claimants should be permitted as part of proper administration by states to assure that only eligible claimants are paid and that unemployed workers are able and available to work to meet workforce needs of employers.

Thank you for the opportunity to express our support for H.J. Res 42.

Sincerely,

DOUGLAS J. HOLMES,
President.

SECRETARIES' INNOVATION GROUP,
Milwaukee, WI, January 31, 2017.

KEVIN BRADY,
Chairman, Committee on Ways and Means, House of Representatives, Washington DC.

DEAR CHAIRMAN BRADY: I am writing you on the topic of drug screening and testing of Unemployment Insurance claimants in my capacity as the Executive Director of the Secretaries' Innovation Group, after consultation with Texas Workforce Commission Executive Director Larry Temple and workforce secretary members of SIG on a recent national conference call. As you know, the Secretaries' Innovation Group is a network of state workforce and human service secretaries from states with Republican governors making up about half of the country. We meet to exchange state program innovations and opportunities and to press for national policies favoring work, healthy families, federalism and limited government.

By way of background, in 2012, the bipartisan Middle Class Tax Relief and Job Creation Act made a number of reforms to the UI program, including overturning a 1960s-era DOL ban on the screening or testing of UI applicants for illegal drugs. The 2012 provision allowed (but did not require) states to test UI applicants who either (1) lost their job due to drug use, or (2) were seeking a new job that generally required new employees to pass a drug test. However, in implementing this law through regulation, DOL issued an overly prescriptive final regulation making it almost impossible for most states to implement the provision.

Our SIG state secretaries who run UI, WIOA and welfare to work programs routinely meet with employers to seek their input as to what characteristics they require to meet their business needs. By far the most common stated requirements are requests for individuals who are reliable and can pass a drug test. Therefore it is highly important that states to have the ability and authority to operate drug screening and testing. It is also important they have the option to condition UI benefits on cooperation in such tests and to mandate treatment, if and when necessary, on a case by case basis. States do not have the ability to operate this way under the current restrictive regulation promulgated by the Department of Labor.

During the national conference call with SIG workforce secretaries to discuss drug screening and testing which took place on

January 24th and included TX, AL, AR, ID, KS, ME, MD, MS, NE, NM, NH, NV, ND, OH, OK, UT, WI, WY, none of the secretary participants endorsed the DOL rule in question as written.

We hope the Congress will take up this issue and permit states who wish to do so the ability to implement screening and testing of UI claimants with the flexibility intended by Congress.

Yours truly,

JASON TURNER,
Executive Director.

Mr. SMITH of Nebraska. Mr. Speaker, as Chairman BRADY highlighted earlier, Members of this body have clearly stated their intent time and time again over the last few years through letters, hearings, public comments, and meetings. Yet, the Department of Labor has continued to push Congress' concerns to the side and legislate from the executive branch.

Supporting this resolution means supporting the role of Congress to write laws and for them to be implemented as intended.

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Workers collecting unemployment benefits earned their benefits by working hard. Workers only receive benefits if they are out of work through no fault of their own and are actively searching for new jobs.

There are considerable challenges facing our unemployment system. More than half of the State trust funds, including that in my home State, are insolvent and could only pay earned benefits for a short period of time if a recession hits. Only about one in four unemployed workers currently receives unemployment insurance benefits. Some States have cut benefits, increasing the chance that workers will exhaust benefits before finding jobs. H.J. Res. 42 does not address these challenges.

There are also real problems with drug use in this country and a severe shortage of treatment options for those who need them. H.J. Res. 42 does not address these problems either.

Instead, we are considering a policy that slanders unemployed workers by assuming that they are drug users; that ignores all research showing that drug use is not higher among unemployed workers than in the general population; and that violates the constitutional protection against illegal search and seizure, a protection that courts have clearly said exists regardless of whether one receives public benefits.

The statutory provision that has required this regulation was appropriately limited to a very narrow group of workers, those for whom finding suitable work required a drug test.

Counter to some GOP arguments, this resolution is not about helping those with drug problems get treatment. It is about cutting benefits. States with drug-testing provisions do not pay for expensive treatment services for those who test positive. Moreover, workers cannot receive benefits while in treatment because they are not actively seeking work. Thus, they lose their earned unemployment benefits.

Congress should be helping communities suffering from high unemployment, addressing persistent long-term unemployment, aiding workers in upgrading their skills to get good jobs. Congress should be strengthening our unemployment insurance system to make sure it is ready to respond in the next recession.

□ 1345

We should not encourage States to waste resources on an unconstitutionally-based drug testing requirements for struggling unemployed workers who claim benefits.

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

Mr. SMITH of Nebraska. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Mr. Speaker, I rise today in strong support of H.J. Res. 42. This resolution is the latest effort in the House to undo the wave of bureaucratic overreach from the Obama administration.

Five years ago, Congress passed a bipartisan law that included a commonsense provision giving the States flexibility to drug test some applicants for unemployment insurance.

Instead of following the law Congress passed and allowing—not requiring—States to implement the policies right for their citizens, the Obama administration decided to tie States' hands. It issued a regulation that left no flexibility for States, the opposite of the bipartisan law Congress passed.

Mr. Speaker, frankly, it is sad that we are even here today. This all could have been avoided if the Obama administration had simply followed the congressional intent, but yet here we are.

I support this resolution, and I urge my colleagues to do the same.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. LEVIN), former chairman of this committee and, certainly, a former ranking member on this side.

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

Mr. LEVIN. Mr. Speaker, at the onset of the Great Recession, our unemployment insurance system was completely inadequate. Democrats took the lead, against increasing Republican opposition, to improve the system and to provide unemployment benefits to Americans who lost their jobs through no fault of their own. The result was an emergency Federal unemployment compensation program which helped more than 24 million people.

Research from a broad array of experts shows these Federal UI benefits, in combination with State-provided benefits, saved more than 2 million jobs, prevented 1.4 million home foreclosures, and kept an estimated 5 million Americans out of poverty. In short, a strong unemployment insurance system helped prevent the Great Recession from turning into another Great Depression.

Today, our unemployment insurance system is again inadequate and totally unprepared to respond to a future recession; and once again, rather than stepping up with solutions, Republicans' answer to working people is a cold shoulder. Instead of responding to the deterioration of our unemployment insurance system, Republicans today want to shame and blame Americans who have lost their jobs through no fault of their own, while also violating their constitutional rights.

Here are the real problems this legislation completely ignores:

Number one, only one out of every four jobless Americans now receives unemployment benefits, near a record all-time low.

Two, eight States have cut back on the maximum number of weeks of benefits available for unemployed workers, including my home State of Michigan.

Three, the value of UI benefits has declined over time, with 30 States now having maximum UI benefits that are less than half of the State's average weekly wage.

Four, the triggers for the federally funded Extended Benefits program, EB, are extremely out of date, so they do not turn on when unemployment begins to rise significantly.

Five, our Nation's UI system is underfunded, with only 18 States' funds reaching a minimum level of adequate solvency, according to a 2016 DOL report.

Six, the Federal UI trust funds, which support extended benefits during downturns in the economy, have a deficit of over $8 billion, hurt by the majority's decision to allow part of the revenue stream to those funds to expire in 2011.

Seven, our spending on workforce development as a percentage of GDP is now only one-seventh of its 1979 peak; and since 2010, Republicans in Congress have cut workforce education programs by $400 million. So we are doing less to help the unemployed while they look for work and less to help them prepare for a new job.

Today's bill ignores these problems completely and, instead, attempts to demean those needing help. In discouraging access to unemployment benefits, it reminds me of a massive problem we have uncovered in Michigan that involved at least 20,000—and perhaps many more—UI claimants being wrongly accused of fraud and ordered to pay huge penalties.

We should be focusing today on ensuring our UI system is ready for the great challenge, not to mention helping Americans who are seeking work right now. Instead, this majority has

brought up this misguided bill, and I urge all Members to oppose it.

Mr. SMITH of Nebraska. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. SMITH).

Mr. SMITH of Missouri. Mr. Speaker, I rise in support of H.J. Res. 42, to eliminate the Obama administration's intentionally unfaithful execution of our laws.

Make no mistake, Mr. Speaker, the previous administration knew exactly what they were doing when they wrote this regulation. President Obama signed off on the underlying law to allow States to drug test certain unemployment insurance recipients, then he worked to block its implementation. Today, we will vote to end President Obama's obstruction.

Instead of faithfully executing the law, as our Constitution demands, the Obama administration effectively blocked States from making sure hard-working taxpayer dollars only go to deserving citizens.

The Congress spoke in 2012, before I arrived here, but here is what happened. Congress spoke, and the President signed a bill into law to give States an option—not a mandate, an option—to drug test.

I stand today to say let's roll back and undo our previous President's unfaithful execution of the law and allow States like Missouri to have the freedom to decide for themselves. This is not a mandate; this is simply about states' rights.

Mr. Speaker, I urge my colleagues to vote in support of this joint resolution.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON), a tireless protector of the rights of individuals.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to voice my strong opposition to H.J. Res. 42.

I think most Americans are tired of hearing about what President Obama did or didn't do while, at the same time, it seems like it has been years since we had his stable leadership and we have been proceeding under the chaos of the current administration. It seems like much longer than 25 days.

But I will tell you, the campaign is over. It was a long campaign. Throughout the entire campaign, the Republicans controlled both Houses of Congress, House and Senate, and we had the President who was a Democrat. So the Republicans complained that they weren't able to do anything and they needed a Republican President.

Now they have a Republican President, and what have they done during this last 25 days in terms of a jobs bill? Not one, not one job created in the last 25 days.

If the public goes back and looks over the calendar of proceedings for this body, they will find that it has simply been one regulatory bill after another, to change a regulation that was set during the Obama administration. That is all we have been doing over the last 3-plus weeks is trying to reverse regulations—not one affirmative bill that establishes one job.

So what are they doing? They are kind of dancing for the American people, while the House burns, while the President is conducting foreign policy at Mar-a-Lago, in the open air, to impress all of his well-heeled friends that have paid $100,000 and now have to pay $200,000 to join his club, while we should be overseeing the operations of the Trump Hotel and who is paying millions of dollars to reserve banquet facilities in that taxpayer-owned location.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The time of the gentleman has expired.

Mr. DANNY K. DAVIS of Illinois. I yield the gentleman an additional 2 minutes.

Mr. JOHNSON of Georgia. Those are the issues that the American people certainly would be interested in knowing, what is happening with their property.

But instead of creating a jobs bill, what we are dealing with here is a measure that would repeal a Department of Labor rule that limits which unemployment compensation applicants can be tested for drugs.

Supporters of this resolution are suggesting that there is a nexus between losing your job and being unemployed and illicit drug abuse. However, there is no evidence that suggests higher drug use among unemployed workers compared to the general population; though I will concede that it has been a time-honored tradition that when you lose your job, you go down to the local bar and drown in a glass of beer.

But nobody is talking about disabusing alcohol abuse with this legislation—no alcohol testing, just drug testing.

Why?

It is because they want to get at a certain group of people who they want to deprive of the ability to receive the unemployment compensation that they have paid in and earned.

It is penny-wise and pound-foolish to take away the financial security for people who have the least. That is the only thing they have, and you are going to take it away from them and make them pay for the drug test, too. It is ridiculous.

We should be considering legislation that would create jobs and address economic disparities, but instead, we are looking to roll back provisions that undergird the financial security of the most vulnerable among us. I would ask that my colleagues oppose this H.J. Res. 42 and get on with the business that matters most to the American people.

Mr. SMITH of Nebraska. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I rise today in support of H.J. Res. 42, and I thank Chairman SMITH for taking the lead in fighting for American workers with this commonsense piece of legislation.

I believe there has been a misconception about the intent of this CRA. Congress is not acting because we have a malicious intent to punish American workers. We are not even trying to disincentivize them from participating in the program.

My colleague, Mr. DAVIS, said we should strengthen our programs, and what we are attempting to do is exactly that: strengthen the system that is intended to help unemployed Americans and allow them to prepare to reenter the workforce.

The 2012 Middle Class Tax Relief and Job Creation Act made commonsense reforms to the unemployment insurance system with the goal of assisting Americans in returning to gainful employment. Yes, this included allowing States, like my own of Florida, to determine whether or not they wanted to include drug screening and test unemployment insurance applicants. And, yes, the law specifically stated two conditions: if the applicant had lost their job due to drug use and if they were seeking a new job that regularly required new employees to pass a drug test.

Now, when the Department of Labor drafted the rule, they clearly went beyond the intent of Congress and tailored it too narrowly. This will only hurt prospective employees in the long term.

The rule covers occupations such as those that require the employees to carry firearms, flight crews, transportation, and the like.

□ 1400

The problem here is that employers in occupations outside of this narrow scope also regularly require drug testing of their employees.

So under this rule, unemployed Americans who are using and looking for employment outside of the specific occupations outlined in the rule could potentially find employment in a different industry, be drug tested, and subsequently terminated.

How is this helping American workers? It doesn't make sense to me, and it shouldn't make sense to any of my colleagues either. This is a bad rule, and it needs to be repealed so the Department of Labor can go back to the drawing board and craft a rule that will actually strengthen the unemployment insurance, help the American worker, and ultimately strengthen the economy.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, first, let me thank Congressman DAVIS for yielding and for his tireless advocacy on behalf of the most vulnerable everywhere.

I rise in strong opposition to H.J. Res. 42, which is really another baseless attack on the poor, on low-income individuals, and on the unemployed. Drug testing unemployed individuals is downright wrong.

Let me be clear. This resolution is another way for Republicans to stop

workers from claiming their right to unemployment benefits. It also is a scare tactic that flies in the face of facts.

First, there is no evidence that people who receive public assistance use drugs any more frequently than those in the general population. Unemployment compensation, mind you, is not public assistance.

By unnecessarily drug testing jobless workers, we are throwing them out in the cold when they are simply trying to get back on their feet.

Mr. Speaker, workers receive unemployment benefits because they worked hard, they played by the rules, and they were laid off through no fault of their own.

More importantly, working people have earned their right to apply for these benefits. They pay into the program. Their constitutional rights should not be violated.

I also know that people want to work. People don't want to be on unemployment insurance. They want to provide for themselves and their families.

Let me remind you, there is an opioid and heroin drug epidemic in this country, and it not only affects Democrats, this drug crisis is affecting Republicans, Independents—everyone. Yet, once again, you are throwing them out in the cold.

Instead of passing this appalling resolution—and this resolution is appalling—we should be expanding job training, unemployment benefits for all, and provide resources for drug treatment. It is hard to believe that you want to punish people. That is what this resolution really does. It punishes people for working. That is really a shame and disgrace.

So I strongly oppose this bill. I urge my colleagues to vote ''no,'' and I also urge you to encourage people to work, to provide those job training resources and drug abuse resources for our mental health centers, for our drug counseling centers, and for everyone who needs treatment rather than drug testing to keep them from getting a job.

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE) who had an office next to mine for many years. I know she has tremendous commitment, energy, and fortitude.

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished gentleman, and I thank the manager of this legislation. But my distinguished friend, Mr. DAVIS, and I have worked on societal issues dealing across the gamut, and the respect that he holds in the communities across America that recognize that second chances, unemployment compensation, summer jobs, and a whole manner of opportunities for individuals to restore their lives is the right way for America to go.

In the backdrop of an executive order that saw one of my constituents, a 16-year-old with proper papers coming in from Jordan, held for 50 hours at George Bush Intercontinental Airport, in defense of those employees that I respect, CBP, they had no information how he got in, but they took this young man. Lo and behold, he wound up in Chicago because he didn't speak English, and that was the only bed they have.

Why am I mentioning this? I am mentioning this because sometimes government gets it wrong. They get it wrong. This disapproval is wrong.

What did happen was right, because what happened was that this rule didn't just pop up in the administration, meaning the Obama administration. It came about through a compromise—an intelligent compromise—dealing with middle class tax relief and job creation. Because at that time, there were people who randomly wanted to drug test, but wise individuals said this, they said that you could allow drug tests if you had lost your job or you are a drug user, so we want to get you right; therefore, you could be tested.

Some people agree to disagree, but that is reasonable. Or that the job that you were looking for or had a job that required the kind of criteria and the kind of skills that drug use would impair or impact, that makes sense.

But now you are talking about someone at the lowest ebb of life, losing jobs through no fault of their own, giving States that may be sensitive to human needs or reckless the ability to randomly test people because they lost their jobs, because they have been defeated.

Well, I know it is too late, but maybe we should amend for Congresspersons, Senators, and Governors who get unelected. They lost a job; didn't they? It doesn't make sense.

I rushed to the floor. We are in the Judiciary Committee addressing the question of how we are going to utilize the oversight plan, whether we want to investigate and fix for the American people this horrible scenario of the Russian involvement in the elections and the connection to the present administration.

We want to fix things, but what you are doing here is that you are casting a bad light on people who are in need. I just want to say States have the ability to administer drug testing, and this change would needlessly shift employer costs to the States. State unemployment programs already penalize job-related drug use.

The SPEAKER pro tempore (Mr. WEBSTER of Florida). The time of the gentlewoman has expired.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman.

Twenty States also explicitly deny benefits for any job loss connected with drug use or a failed drug test. In addition, six States—Arizona, Arkansas, Indiana, South Carolina, Tennessee, and Wisconsin—passed legislation equating a failed or refused preemployment drug screen for refusing suitable work. We are already condemning everybody. Other States have other programs. This is not one that falls under the 10th Amendment.

But the specialist drug testing of government-benefit recipients likely violates the Fourth Amendment, and it is cruel and inhuman treatment.

I ask my colleagues to reject this cruel and inhuman treatment of individuals who, through no fault of their own, are unemployed or they may be poor or they may be needing public assistance. Let America's humanity shine. Vote ''no'' on the bill.

Mr. SMITH of Nebraska. Mr. Speaker, I want to hopefully draw some attention to the fact that we have a problem on our hands. We have a problem with the Federal Government going too far, and we have a problem with the State governments coming to us as policymakers at the Federal level wanting to help their own constituents, their own citizens in need. Right now the Federal Government stands in the way.

It is time for us as policymakers hopefully to act in a responsible fashion to assist States in their need and their desire to help their own citizens. States are better at that than is the Federal Government, and I hope that we can empower the States to help their own constituents.

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, as I prepare to close, let me just, first of all, thank the more than 40 organizations who have sent letters in opposition to this legislation, especially the African Methodist Episcopal Church, the African American Ministers in Action, National Association for the Advancement of Colored People, and many others. They have sent letters because they have a will to help, not a will to hurt. They have a will to assist. They know that the individuals we are talking about have lost their jobs, their opportunity to work, and their connection, in many instances, with humanity.

I would urge that we do everything in our power to help them find their way back and not hurt them. Therefore, I would urge all of my colleagues to oppose this legislation and vote ''no.''

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

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

Mr. Speaker, since the law was enacted some 5 years ago, Members of this body have clearly stated their intent time and time again through letters, hearings, public comments, and meetings, and yet the previous Department of Labor continued to push Congress' concerns to the side and legislate from the executive branch.

Again, supporting this resolution means supporting the role of Congress

to write laws and for the laws to be implemented as intended.

I urge my colleagues to support H.J. Res. 42, disapproving of the Department of Labor's regulation of the drug testing on unemployment insurance applicants.

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

The SPEAKER pro tempore. All time for debate has expired.

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

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

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

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

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

Mr. DANNY K. DAVIS of Illinois. 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.

□ 1415

DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO SAVINGS ARRANGEMENTS BY STATES FOR NON-GOVERNMENTAL EMPLOYEES

Ms. FOXX. Mr. Speaker, pursuant to House Resolution 116, I call up 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 ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 116, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 66

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Department of Labor relating to ''Savings Arrangements Established by States for Non-Governmental Employees'' (published at 81 Fed. Reg. 59464 (August 30, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Ms. FOXX) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 30 minutes.

The Chair recognizes the gentlewoman from North Carolina.

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

Mr. Speaker, today I rise in strong support of H.J. Res. 66.

The Obama administration spent a lot of time and taxpayer dollars emphasizing the need to protect retirement savers, but as was often the case with the previous administration, their rhetoric rarely matched their actions.

For example, the Obama Department of Labor spent years advancing a flawed rule that will limit access to affordable retirement advice for low- and middle-income families. Despite repeated calls for a more responsible approach, the Department pushed forward with an extreme, partisan rule. Then, late last year, the Department finalized two additional rules that will also negatively impact the retirement security of workers. The administration crafted a regulatory loophole that allows States to establish government-run IRAs by circumventing protections workers and employers have enjoyed for decades.

As was usually the case, the actions of the previous administration hurt the very people it claimed to be helping. First, this loophole would lead to fewer protections for retirement savers. Working families will have less information about how their retirement plans are managed, and they will have fewer options if those plans are not managed well. They will also have less control over the money they worked so hard to put away.

We need to honor hardworking taxpayers, Mr. Speaker, who save for their retirement and not have the Federal Government do things to harm them.

The loophole also threatens to inflict significant harm on small business employees. It is already hard enough for many small businesses to provide their employees with retirement options, and this regulation only makes it less likely they will do so. In fact, many small businesses could actually be discouraged from offering 401(k)s or other private sector options. Others could cancel their retirement plans and dump their employees into government-run retirement plans.

Finally, the Obama administration's regulatory action puts taxpayers at risk. We already know that many government-run pension plans for public employees are woefully underfunded. Let me repeat that, Mr. Speaker. We already know that many government-run pension plans for public employees are woefully underfunded. If government-run IRAs for private sector workers are mismanaged, does anyone seriously believe hardworking taxpayers won't be asked to foot the bill?

These may be unintended consequences, but they will be detrimental to workers, retirees, and small business all the same. Too many hardworking men and women struggle to plan for the future and retire with financial security and peace of mind. The resolution under consideration today will close a loophole that threatens that security and peace of mind.

To be clear, these resolutions will not prevent States and cities from providing workers and retirees with new, innovative retirement options. These resolutions will simply ensure that all workers and retirees enjoy the same protections that have been guaranteed for decades.

I want to thank Representatives WALBERG and ROONEY for leading this effort and working to protect the retirement security of hardworking men and women across the country. I urge my colleagues to support both resolutions.

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

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

Mr. Speaker, I rise in strong opposition to H.J. Res. 66.

Working families in my home State of Oregon and across the country deserve the opportunity to retire with security and dignity. Unfortunately, that is not a reality for far too many Americans who face a growing retirement security crisis. In fact, nearly 40 million private sector workers, including an estimated 1 million in Oregon, do not have access to retirement savings plans at their jobs.

The AARP and others have noted that people who do not save for retirement risk becoming dependent on social safety net programs that increase costs for taxpayers.

Mr. Speaker, Congress has not stepped up to address our country's retirement security crisis, so several States, including my home State of Oregon, have developed and implemented innovative solutions that will help workers save for retirement.

Oregon's program is set to launch in just 5 months. Workers who do not have access to a retirement plan through their employer will have access to a plan facilitated by the State. It is not mandatory—workers can opt out—and there is minimal paperwork for employees. Oregon's plan is portable, so workers can keep their retirement savings when they change jobs.

Consider Oregonian Penny Wicklander, who has worked hard but hasn't had access to a good retirement plan. Penny managed an apartment complex for low-income seniors, and she saw the hardships that residents faced without retirement security. Some lived on $10 in the last 10 days of the month. She said, in support of Oregon's plan:

> No one wants to retire into poverty and rely on public services, but it's hard to plan for the future when there are so many other financial challenges facing our families. We need a simple retirement account that makes it easy for everyone to save part of what they earn, regardless of where they work.

Bobbie Sotin, a home care worker who cares for seniors and people with disabilities doesn't have access to a retirement savings plan through her employer. Bobbie said:

> Working with seniors in poverty, many care providers see their own future every day. Once they reach retirement age, they have to make the decision to live in poverty or keep working until they die. Even if it

means just $50 or $100 more per month, that kind of income would make a huge difference to each and every one of us.

Penny, Bobbie, and people across the country need access to retirement savings plans. Oregon and several other States are working to fill that need. Congress should be supporting them and encouraging retirement savings programs like Oregon's and similar plans in California, Illinois, Connecticut, and Maryland. Instead, House Republicans are advancing a Congressional Review Act joint resolution of disapproval that would endanger these plans, discourage other States from taking action, and undermine states' rights.

Specifically, this resolution would nullify an important Department of Labor rule that simply clarifies that these State-based savings plans do not run afoul of ERISA, the Employee Retirement Income Security Act. The safe harbor rule went into effect last October.

Now, my friends on the other side of the aisle may characterize this as ''closing regulatory loopholes'' and they may question whether more government is the answer, but that is not what this is about.

The National Conference of State Legislatures and the State treasurers of Oregon, Illinois, and California submitted letters in opposition to this resolution. They found the ''DOL safe harbor provides flexibility to states, codifies clear protections for employers who facilitate retirement savings arrangements for their employees, and enables innovative solutions to addressing the growing retirement crisis facing this country.''

Mr. Speaker, I include in the RECORD these letters and several other letters in opposition to this resolution.

FEBRUARY 10, 2017.

Hon. PAUL RYAN,
Speaker of the House,
Washington, DC.

SPEAKER RYAN: Earlier this week, Reps. Tim Walberg and Francis Rooney introduced two resolutions of disapproval (H.J. Res 66, H.J. Res 67) to roll-back key Department of Labor (US DOL) rules. These resolutions will limit our abilities as states to provide solutions to the growing retirement savings crisis, and could make it harder for small businesses to participate in state-run programs.

We are writing to ask that you defend our state's rights by voting ''No'' on H.J. Res 66 and H.J. Res 67.

The rule in question gives clarity for states across the country to provide access to retirement savings options for millions of private-sector workers. California, Illinois, and Oregon are all in the process of implementing legislatively approved state-administered plans that will enable nearly 8 million private-sector workers to save their own money for retirement.

As Treasurers, we chair the respective Boards governing our state plans and have been actively working with employers, employees, payroll providers, and financial service organizations for the last two years. The reality is, that without access to an easy and affordable savings vehicle, far too many workers risk retiring into poverty and becoming overly reliant on Social Security or state and federal safety net programs.

The final rule from US DOL provides key protections for employers who facilitate enrollment for their employees—confirming a safe harbor from ERISA and protecting businesses from litigation or liability related to state programs—while maintaining key consumer protections for program participants.

While this rule has been finalized, opponents are seeking to repeal or weaken the rule through the Congressional Review Act. We respectfully request that you oppose efforts to repeal the rule and vote no on H.J. Res 66 and H.J. Res 67. The US DOL safe harbor provides flexibility to states, codifies clear protections for employers who facilitate retirement savings arrangements for their employees, and enables innovative solutions to addressing the growing retirement crisis facing this country.

We are happy to provide additional information. Thank you for your support.

Sincerely,

JOHN CHIANG,
California State Treasurer.
MICHAEL FRERICHS,
Illinois State Treasurer.
TOBIAS READ,
Oregon State Treasurer.

AARP,
February 8, 2017.

DEAR MEMBER OF CONGRESS: On behalf of working Americans who struggle to save for their retirement, AARP urges you to vote against a Congressional Review Act resolution to overturn the Department of Labor's final rule on ''Savings Arrangements Established by States for Non-Governmental Employees''. AARP, with its nearly 38 million members in all 50 States and the District of Columbia, Puerto Rico, and U.S. Virgin Islands, is a nonpartisan, nonprofit, nationwide organization that helps people turn their goals and dreams into real possibilities, strengthens communities and fights for the issues that matter most to families such as healthcare, employment and income security, retirement planning, affordable utilities and protection from financial abuse.

Today, 55 million working Americans do not have a way to save for retirement out of their regular paycheck. Despite decades of federal incentives, employer sponsorship of retirement savings plans has remained static. The lack of employer-sponsored savings plans has a direct impact on the retirement readiness of workers, because employees are 15 times more likely to save if they have access to a payroll deduction savings plan at work.

In response to the stubborn lack of growth in employer-sponsored retirement savings plans, numerous states have removed regulatory and operational barriers for small businesses who want to offer a retirement savings vehicle to their workers. These bipartisan, commonsense solutions are known as Secure Choice or Work and Save. In the last two years more than half the states considered a variety of options to provide employers and their employees with low-cost savings options, including Arizona, California, Colorado, Connecticut, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

In 2016, the Department of Labor promulgated a rule providing states with guidance on how to enter into public-private partnerships aimed at increasing personal savings rates among small business employees. This rule makes it clear that any automatic IRA program established by a state must remove the operational burden of running a retirement plan from small business owners. In fact, it asserts that a small business owner's only interaction with a Work and Save plan would be to facilitate payroll deductions for these individual savings plans.

A Congressional Review Act resolution to overturn this rulemaking will have a significant chilling effect on states, sending the political message that state flexibility is not a priority. There is successful precedent for states to take action to promote personal financial responsibility. When college savings plans, known as 529 plans, were created twenty years ago, less than $2.5 billion had been saved for college in these programs. Today, individuals have put away more than $253.2 billion for college in 529 plans. Similarly, in the retirement context, states are acting as facilitators, aggregating small businesses to get the cost benefit of pooling. All private financial firms can bid to invest the savings from employees. The only employer role is to set up the payroll deduction and forward materials to employees, a role employers already perform for unemployment insurance, workers' compensation, and other similar programs.

Often, states are the pioneers of solutions. State governments more directly interact with both workers and employers, and state policymakers are aware that growth in the number of older Americans who do not have a secure retirement will be felt most acutely in cities and states. As laboratories of change, states are often more willing and able to test creative solutions to improve the retirement security needs of their workforce while respecting the unique characteristics and demographics of each jurisdiction. The lack of options to save for retirement at work is a persistent problem that demands action today. States desire flexibility to move forward with innovative reforms—Congress should not curtail state efforts to promote retirement savings. Americans need easy savings options. No one wants older Americans solely dependent on Social Security. Employer plans are not growing and states are trying to meet the needs of their citizens using private investment firms. Lack of access to workplace savings plans is especially acute for people of color—only 54 percent of African American and Asian employees and 38 percent of Latino employees work for an employer that sponsors a retirement plan, compared to 62 percent of White employees. Those who do not save enough for retirement risk becoming dependent on social safety net programs, costing taxpayers down the line. In fact, states taking action today could save taxpayers as much as $4.8 billion in the next ten years. Congress should support these important state savings programs, not take steps to end them.

AARP urges Congress to support private retirement savings and vote no on a Congressional Review Act resolution to overturn the Department of Labor's rule on Savings Arrangements Established by States for Non-Governmental Employees. If you have further questions, please feel free to contact me.

Sincerely,

NANCY A. LEAMOND,
Executive Vice President and Chief Advocacy and Engagement Officer.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, LEGISLATIVE ALERT,
Washington, DC, February 15, 2017.

DEAR REPRESENTATIVE: The AFL–CIO urges you to oppose H.J. Res. 66 and H.J. Res. 67. These resolutions of disapproval block Department of Labor (DoL) regulations that

create safe harbors under which certain retirement savings arrangements established by states or eligible political subdivisions for private-sector workers will not be considered ERISA-covered employee benefit plans.

While the vast majority of union members who work in the private sector benefit from collectively bargained pensions and retirement savings plans, over 38 million private-sector workers are not offered any kind of plan at work. The DoL regulations provide a path forward for states and municipalities to create an easier way for these Americans to begin building a retirement nest egg through payroll deduction contributions into their own Individual Retirement Account (IRA). A vote to rescind these regulations is a vote to ensure that these Americans will remain financially vulnerable in retirement.

Thank you for your consideration of our views.

Sincerely,

WILLIAM SAMUEL,
Director, Government Affairs Department.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO,
Washington, DC, February 10, 2017.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC,

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I am writing to urge you to oppose the two Congressional Review Act (CRA) resolutions of disapproval blocking the U.S. Department of Labor (DOL) regulations for state and city retirement savings programs, H.J. Res 66 and H.J. Res 67.

Using the CRA to overturn these rules is an example of an arbitrary process that upsets years of work by federal agencies acting in strict adherence to the Administrative Procedures Act to promulgate important federal rules and actions. After thorough consideration that has involved the public, state and local governments, and the Congress, resolutions of disapproval should not be used for partisan purposes to scrap agency rules at the last minute and to subvert the regulatory process contrary to real needs of Americans.

We know there is a growing retirement security problem in this country. It is estimated that 55 million full- and part-time private sector workers in the U.S. lack access to retirement coverage through work. This problem has grown unabated and without adequate attention at the federal level. Finally, new DOL rules that are under attack will enhance retirement security for the millions of Americans who do not have access to pensions and have limited means to increase savings for retirement. The new rules simply allow states and cities to set up important auto-enrollment programs to enhance savings if they chose to do so. One rule encourages state auto-enrollment tax-free savings plans, or state-created tax-free saving plans for private business. The second resolution would block a rule that clarifies when county and city auto-enrollment plans will be exempt from federal retirement law. California and a number of other states have either already adopted plans or are considering adopting plans. In addition, cities such as New York, Philadelphia and Seattle are also considering similar measures.

These resolutions of disapproval would unfairly impact these new plans and the millions who want to take advantage of them. Approximately half of all workers lack access to any type of pension or employment-based retirement savings plan. The DOL regulation is narrowly tailored to authorize governments to establish plans for those employers who do not offer retirement programs. The burden imposed upon such employers is minimal. Significantly, the regulation simply clarifies that states and local governments can create auto-enrollment programs. In the absence of the regulation, states may still offer the programs, although the legal status is uncertain. These regulations not only clarify the matter, but provide some important protections for participants.

I urge you to vote no on H.J. Res 66 and H.J. Res 67, which would harm these important state and local savings programs.

Sincerely,

SCOTT FREY,
Director of Federal Government Affairs.

AMERICAN FEDERATION OF TEACHERS,
Washington, DC, February 15, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: For many Americans, the ability to maintain their living standards in retirement continues to be a source of anxiety and concern. Two-thirds of participants in the Employee Benefit Research Institute's 2016 Retirement Confidence Survey indicated that they had no retirement plan, and more than 50 percent reported they had less than $25,000 in retirement savings.

As a result, a large number of states are moving legislation to help employees of small employers to access retirement savings plans. The Department of Labor has assisted this effort by excluding such plans from ERISA. In light of these facts, the AFT urges you to vote no on Congressional Review Act resolutions (H.J. Res. 66 and H.J. Res. 67) that would reimpose ERISA standards on governments and only serve to chill state and city innovation.

Although most jobs are created by small businesses, most small business workers are not offered any retirement plan. According to the Center for Retirement Initiatives (CRI), 98 percent of all firms in the U.S. employ fewer than 100 workers, and about two-thirds of these workers lack access to any retirement plan. Many small-business owners who were contacted by the Government Accountability Office reported shying away from sponsoring any retirement plan because of all of the administrative requirements and fiduciary responsibilities for selecting investment funds and managing plan assets. Unless something is done to improve the retirement prospects of the small-employer workforce, these individuals will fall into poverty in retirement, and place emotional stress on their families and financial stress on their government sponsors.

In response to this retirement savings gap, a large number of states have removed regulatory and administrative barriers for small businesses that want to offer a retirement savings vehicle to their workers. These bipartisan common-sense approaches are collectively known as ''Secure Choice.'' In the last few years, about half of all states have considered ways to provide small employers and their employees with low-cost, professionally managed savings options. Seven states already have enacted legislation and are preparing to implement their plans.

In 2016, the DOL promulgated an rule providing states and cities with guidance on how to enter into public-private partnerships, with the goal of increasing savings rates among employees of small businesses. The rule clearly states that an automatic IRA program established by a state or city must remove the burden of administering the retirement plan from small-business owners. The rule puts in place only one requirement: Small employers that do not offer any other retirement plan to their employees must offer a payroll deduction for employees who voluntarily choose to participate in the savings plan. In short, the DOL rule eliminates much federal red tape, and gives governments more flexibility to innovate. This allows states and cities to provide a glide path for small employers to offer a retirement savings plan to their workers.

Just as states facilitated the pooling and investing of 529 college savings plans in partnership with private investment firms, the same convention is being employed in a retirement savings context. Private investment companies can bid to invest the pooled savings from employees of small employers. Workers will enjoy the twin benefits of low-cost and well-managed investments. Small employers are only required to provide payroll deduction and forward the program information to employees.

Again, the AFT urges Congress to support these state-sponsored, public-private retirement savings programs—collectively referred to as Secure Choice—by voting against Congressional Review Act resolutions H.J. Res. 66 and H.J. Res. 67.

Sincerely,

RANDI WEINGARTEN,
President.

NATIONAL CONFERENCE OF STATE LEGISLATURES,
Washington, DC, February 13, 2017.

MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES: The National Conference of State Legislatures (NCSL), the bi-partisan organization representing the legislatures of our nation's states, territories, and commonwealths, urges you to vote against H.J. Res. 66, a Congressional Review Act resolution to overturn the Department of Labor's final rule on ''Savings Arrangements Established by States for Non-Governmental Employees.''

As our nation's laboratories of democracy, states are developing and implementing innovative solutions that will improve the retirement security of private sector workforces and that will also save taxpayers billions of dollars. Passage of this resolution is an affront to those in Congress who advocate for the 10th Amendment as it will result in an unwarranted preemption of state innovation, will restrict the ability of millions of hardworking Americans to save for retirement, and will prove costly to federal and state budgets.

As the number of workers who lack enough savings to cover the costs of retirement expenses continues to grow, states need the flexibility to develop creative solutions to this problem. Restricting the ability of states to establish private sector savings plans will put an even greater strain on public finances because states and the federal government are ultimately responsible for funding the social safety programs that are utilized by retirees who are not financially independent. Eight states have enacted laws that will establish state-facilitated retirement plans' and many other states are considering these plans for their state's private sector workers. Passage of H.J. Res. 66 will likely prevent states from establishing these innovative plans and will result in increased costs for federal and state budgets as tens of millions of Americans who depend solely on social security will increase dependency on other entitlement programs.

Finally, we challenge the argument that private sector workers, who lack retirement options, should not depend on their state governments to establish these retirement saving programs. We ask members of Congress that if states did not act to address this growing problem, who would? It was only after years and years of failure by the private sector to address the retirement of

its small business workers that state governments were left with no alternative but to provide an innovative solution for these retirees' future. Congress should respect the states' efforts to reduce a further financial burden on future taxpayers.

NCSL urges Congress to support state innovation regarding private retirement savings and vote no on a Congressional Review Act resolution to overturn the Department of Labor's rule on ''Savings Arrangements Established by States for Non-Governmental Employees.''

Sincerely,

SENATOR DANIEL T. BLUE, JR.,
North Carolina, President, NCSL.
SENATOR DEB PETERS,
South Dakota, President-Elect, NCSL.

RETIREMENT SAVINGS FAST FACTS

Three-quarters of private sector workers feel anxious about having enough money to live comfortably in retirement.

Fifty-five million Americans work for employers that do not offer any form of a retirement savings plan.

80 percent of private sector workers between the ages of 18 and 64 support state-facilitated plans designed to help them save their money for retirement.

State-facilitated retirement savings plans are designed similarly to the popular 529 college savings plans, as the plan's assets would be the personal property of the individual saver, and their money could only be used to benefit the individual saver.

State-facilitated retirement savings plans would be managed by outside private sector fund managers and there will be no connection between state-facilitated programs and public pensions for government employees.

State-facilitated retirement savings plans would provide employees the options to decline participation; however, data suggests that employees with access to workplace retirement plans are 15 times more likely to save for retirement.

NATIONAL COUNCIL OF LA RAZA,
Washington, DC, February 10, 2017.

Hon. VIRGINIA FOXX,
Chairman, House Committee on Education & Workforce, Washington, DC.
Hon. BOBBY SCOTT,
Ranking Member, House Committee on Education & Workforce, Washington, DC.

DEAR CHAIRMAN FOXX AND RANKING MEMBER SCOTT: On behalf of the National Council of La Raza (NCLR), the nation's largest Latino civil rights and advocacy organization, I write to ask you to oppose H. J. Res 66 and H. J. Res 67, resolutions of disapproval under the Congressional Review Act (CRA), to block the Department of Labor (DOL) rules that allow states and cities to implement their own Individual Retirement Account (IRA) retirement plans.

In the absence of congressional action to increase access to retirement plans, state plans have stepped up to innovate and fill that gap. H.J. Res 66 and H.J. Res 67 impedes state and local innovation and entrepreneurialism to solve the retirement issue. If the DOL rules are abolished, it would have a chilling effect on the states and cities that are working to implement programs, including California, Connecticut, Illinois, Maryland, and Oregon, which have all passed legislation to setup these programs and New York City, Philadelphia and Seattle which are currently considering their own auto IRA plans.

Rep. Tim Walberg's (R–MI) H.J. Res 66 and Rep. Francis Rooney's (R–FL) H.J. Res 67 would nullify the DOL rules that offered the clarification necessary to help states and cities implement their own auto-IRA plans consistent with The Employee Retirement Income Security Act of 1974 (ERISA), which would provide millions of workers access to a workplace retirement plan. If these retirement plans were to become subject to ERISA, they would not be able to move forward.

One of NCLR's goals in 2017 is to ensure the successful implementation of the California Secure Choice Retirement Savings Program. In September 2016, California Governor Jerry Brown signed into law a bill that allows workers to access state-run IRAs, which will feature automatic enrollment for people working for employers with five or more employees. Just over 7.5 million Californian workers who do not currently have an employer-sponsored plan—half of whom are Latino—will benefit from this program.

LATINOS HAVE A STRONG DESIRE TO SAVE

NCLR has worked to improve opportunities for Hispanics in the United States for nearly 50 years. One of our core areas of work is economic security, which is contingent on an individual's retirement readiness. While many Americans have difficulty saving for retirement, the issue is even more acute for communities of color. For example, 62% of Black and 69% of Hispanic households lack any assets in a retirement account. For those who can save, their account balances are disproportionately low: four in five Latino households aged 25–64 have less than $10,000 in retirement savings, compared to one in two White households. Prior to the DOL rule, limited access to traditional retirement savings products severely affected Latino workers' ability to invest in their future. Efforts, whether at the federal or state level, to increase access to quality retirement savings plans are crucial to enhance Latino retirement readiness.

The difficulty in saving for retirement is the result of a variety of factors, including lack of availability of employer-sponsored retirement plans and lower rates of participation in those plans when they are offered. Workers of color have less access to retirement savings vehicles compared to Whites: 38% of Latino employees aged 25–64 work for an employer that sponsors a retirement plan, compared to 62% of White employees. Of those workers who have access to an employer-sponsored plan, not all participate: only 29.7% of Latino workers who have an employer plan participate compared to 53.8% of White workers.

Low wages make investing for retirement especially challenging given that housing, health care, and education costs continue to rise while wages remain stagnant. 42% of all Latinos earn poverty-level wages, even with having the highest rate of labor force participation among all racial and ethnic groups. Despite earning low wages, numerous studies have shown that Hispanics value saving. A 2014 national Prudential survey of Latino consumers found that ''the 'saver' mindset prevails'' with Latinos. However, while 53% Latinos think that saving for retirement is a high priority, near-term financial needs often compete for limited resources.

Limited access to traditional retirement savings products severely affect Latino worker's ability to invest in their future. Efforts to increase access to quality retirement savings plans are crucial to enhance Latino retirement readiness. In the absence of congressional action to increase access, state and city plans can help to fill that gap. It is for the above reasons that NCLR urges you to opposes H. J. Res 66 and H. J. Res 67 and ensure that millions of workers have access to a workplace retirement plan.

Sincerely,

ERIC RODRIGUEZ,
Vice President, Office of Research, Advocacy, and Legislation.

Ms. BONAMICI. In summary, proponents of this Congressional Review Act resolution are rushing to nullify a rule that will make it easier for people save for retirement. That is unacceptable. Every American deserves to retire with dignity, and this resolution puts that fundamental American value at risk.

I ask my colleagues to join me in opposing H.J. Res. 66.

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

Ms. FOXX. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan (Mr. WALBERG) be permitted to control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 66.

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

There was no objection.

Mr. WALBERG. Mr. Speaker, I yield myself such time as I may consume, and I rise today in strong support of H.J. Res. 66, a resolution to protect retirement savers.

During the final days of the Obama administration—in fact, the final hours—the Department of Labor created a regulatory loophole that threatens the retirement security of working families. We are here today to use Congress' authority under the Congressional Review Act to close that loophole by blocking a misguided regulation from taking effect.

The regulation paves the way for States to force certain employers to automatically enroll their employees into government IRAs. States would be allowed to skirt Federal law and deny workers important protections designed to safeguard their retirement savings.

The Obama administration's action is somewhat perplexing. The Employee Retirement Income Security Act, ERISA, has enjoyed strong bipartisan support for decades. As President Ford said when he signed the law, the American people have ''greater assurances that retirement dollars will be there when they are needed.'' Yet, over 40 years later, the same administration that frequently touted the importance of consumer protections moved to exempt States from ERISA.

□ 1430

The question is why. To facilitate the creation of government-run plans that

would lack basic protections for retirement savers? As a result, workers and retirees would have nowhere to turn if their savings were mismanaged.

Let's be honest about what this regulation is really about. It is part of an assault on small business retirement plans that began under the Obama administration. First, small businesses were hit by the fiduciary rule that would make it harder for them to access the financial advice they need to set up retirement plans for their employees. Then the Obama administration created a last-minute regulatory loophole that could discourage small businesses from offering retirement plans in the first place. As a result, many families could soon realize, If you like your 401(k) plan, you may not be able to keep it.

Because of this loophole, taxpayers also are at risk. Many of the States leading the charge on these government-run plans have a long history of mismanaging public employee pensions. Today there is an estimated $5 trillion in unfunded State pension promises—$5 trillion. That figure is completely unsustainable. It begs the question: Will taxpayers or retirement savers foot the bill if these government-run IRAs are similarly mismanaged?

However, we are not here today to debate the merits of State policy. To be clear, States should be free to experiment with new retirement options, and more options are certainly needed. It is up to the voters in each State to hold their elected officials accountable. The point of this debate is that States should not be exempt from a law that has, for decades, provided important protections for retirement savers. If States want to come up with new ways to help workers save for retirement, they can. But they should follow the law in the process.

The goal of this resolution is simple. It is to uphold protections Congress—including Members of both parties—have long afforded retirement savers. Today we can close a regulatory loophole that would be detrimental to the retirement security of hardworking Americans, and we can ensure retirement savers in every State continue to have the same protections under Federal law. I urge my colleagues to support strong protections for retirement savers by voting in favor of H.J. Res. 66.

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

Ms. BONAMICI. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Committee on Education and the Workforce.

Mr. SCOTT of Virginia. Mr. Speaker, our country is experiencing a retirement security crisis. Nearly 40 million private sector workers do not have access to a retirement savings plan at their jobs. The data and research also show that many middle- and low-income workers lack the ability to save enough on their own for retirement. Too many Americans lack access to retirement savings plans and too few are able to build a retirement nest egg on their own.

Unfortunately, Congress has not stepped up to comprehensively address our country's retirement security challenges, but many States have stepped up and enacted innovative solutions to expand working people's access to retirement savings. California passed a law establishing a program that is estimated to provide 6.8 million workers access to a retirement savings plan. In Illinois, more than a million people are expected to benefit from the State's retirement savings program.

Six other States have enacted programs. Dozens more have considered proposals to study or implement State-based retirement plans. Several of these States have worked with the Obama administration's Department of Labor on rules to ensure that their workplace retirement savings initiatives did not inadvertently run afoul of ERISA, the Federal law establishing minimum standards for private sector pensions.

Last August, the Department of Labor finalized the rule specifying the ERISA safe harbor conditions for State payroll deduction retirement savings plans. The rule went into effect last October.

In December, the Department of Labor finalized another rule that made certain cities and counties eligible for the same safe harbor protections. This rule only went into effect last month.

Now, if there are legitimate concerns with the rules, the Trump administration has the administrative tools available to appropriately amend the final rules in the same fair, thoughtful, transparent manner in which they were promulgated. However, this CRA disapproval resolution, which was just introduced last week, will nullify the rule that puts a safe harbor in place to ensure the plans do not run afoul of ERISA. At the same time, under the CRA rules, it would make it impossible to enact a similar rule to protect these savings plans in the future without specific congressional approval.

This afternoon, the House will also consider a CRA disapproval resolution which would overturn the month-old rule aimed at helping certain cities and counties offer workplace retirement programs.

Mr. Speaker, Congress should not be in the business of destabilizing efforts that increase workers' ability to save for retirement, and we should not be going out of our way to undermine states' rights to implement their own innovative solutions. These two resolutions represent an attack on our Nation's working families. Congress must stand up for working people who do not have access to retirement plans at their jobs. America's working families deserve an opportunity to be able to save enough to retire with dignity and peace of mind.

I urge my colleagues to reject both of these CRA joint resolutions of disapproval.

Mr. WALBERG. Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. ROE), the immediate past chairman of the Subcommittee on Health, Employment, Labor, and Pensions.

Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of H.J. Res. 66, a resolution that uses the Congressional Review Act to roll back the Department of Labor's harmful so-called safe harbor rule. This rule allows States to automatically enroll employees in government-run IRAs without the important consumer protections provided by ERISA. This bureaucratic regulation restricts working families' access to essential plan information required to make wise investments, while also increasing the risk for financial mismanagement of State-run IRAs which would ultimately fall on the backs of the taxpayers across the U.S.

Mr. Speaker, there is a retirement crisis occurring in this country. The Government Accountability Office reports that 29 percent of Americans age 55 and older have no retirement savings—zero—and no traditional pension plan. Further, nearly 40 million working families also haven't saved a dime for retirement. This is a serious problem, and we must work together across the aisle to pursue policies that make it easier, not harder, for families to save.

Unfortunately, the Obama administration's answer to the retirement crisis was less consumer choice and more financial risk. This all started with the Department of Labor's misguided decision to pursue a fiduciary rule which, if implemented, will be a disaster for low and middle class savers. The DOL published a rule that is nearly 1,000 pages to define the word ''fiduciary.'' Let me say that again, a 1,000-page rule to define the word ''fiduciary.'' I hold in my hand Webster's Collegiate Dictionary, which has a few more pages than that to define every word in the English language. This dictionary defines every word in the English language, and it takes a thousand-page rule to define fiduciary.

Does anybody think that is going to be better for savers?

I seriously doubt it.

Thankfully, the President is working to delay its implementation. Here we are today trying to keep yet another misguided rule from the waning days of the last administration from taking effect. It should be no surprise that the Obama administration's safe harbor rule continues to trend toward a lack of consumer choice and more Federal involvement through a patchwork of bureaucracy.

Mr. Speaker, the American people deserve the opportunity to choose their retirement savings vehicle and not to be thrust into a government-run IRA that could eventually fall on the backs of their fellow taxpayers to fund. I

have worked tirelessly with my colleagues in the House to overturn these harmful regulations, and I look forward to continuing to work with the Trump administration to do just this.

I agree with my colleagues across the aisle wholeheartedly that we need to work together to encourage and create policies that encourage the American people to save for their retirement.

Mr. Speaker, I urge my colleagues to support this resolution.

Ms. BONAMICI. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL), the ranking member of the Committee on Ways and Means.

Mr. NEAL. Mr. Speaker, I thank the doctor for that Webster's dictionary. That dictionary was published in Springfield, Massachusetts, and I am glad that the doctor from Tennessee sees it as the last word.

Mr. Speaker, let me rise in opposition to the CRA resolutions we are debating today that would block Department of Labor regulations on State-run retirement programs. Our country is in the midst of a retirement savings crisis, as duly noted. To address this issue, we should be working together to help people get into a responsible retirement savings plan. Half the people who get up to go to work every single day in America are not in a qualified savings plan for retirement.

This opportunity here is to begin a history lesson. In July of 2007, a decade ago, I introduced the Automatic IRA Act with my Republican Ways and Means colleague, Phil English. That same year, Senators Bingaman and Smith introduced a companion bill in the U.S. Senate. The Brookings Institution and The Heritage Foundation scholars jointly developed my auto IRA concept. So conservatives and liberals came together on a commonsense proposal to make it easier for working families to save.

However, fast forward to 2017. I can't find a Republican to join me in sponsoring the auto IRA legislation. Remember, The Heritage Foundation worked with me to construct this initiative. If we can just keep it amongst ourselves here, being a Democrat from Massachusetts and having a plan that is endorsed by The Heritage Foundation is not one of our easier endeavors. But between Brookings, a liberal think tank, and Heritage, a conservative think tank, we came up with a pretty good plan.

Today American families struggle to prepare for retirement. To make matters worse, 55 million Americans work for employers who don't offer a retirement plan. As I noted earlier, that is half the workers between 18 and 64.

Because of Congress' failure to act on any legislation and address the retirement savings crisis, many States implemented their own auto IRA plans based upon the Neal-English bill. In fact, 30 States have moved to implement or are considering a State-facilitated retirement plan. Credit unions would love this, community bankers would love this, and insurance agents would like to sell these plans, but here we can't find a Republican to sign on.

So today they are trying to block the guidance that provides clarity and flexibility to States that want to launch their own initiative. This is troubling. If these resolutions become law, it would have a chilling effect on State efforts. The States are the laboratories of experimenting on these retirement plans because the Federal Government doesn't get it done. If Republicans are looking for a single national effort, let's work together to develop a Federal auto IRA legislation piece that would work in the interim and work in the future and help people set up, Mr. Speaker, a responsible retirement savings plan.

Mr. WALBERG. Mr. Speaker, I guess the point that I would make again is not the fact that we are trying to stop States from doing this. In fact, this CRA does not do that at all. It just simply says we express our concern that States would be allowed as a result of what was put through in midnight fashion that exempted States from having to come under the same protections of ERISA that we would expect to be covered for all retirement plans. That is the challenge. We want to make sure that retirees' incomes are protected in a secure, safe way, and that is the value of ERISA. This proposal or the rule that was put through did not cover that, and that is our concern, again, protecting retirees.

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

Ms. BONAMICI. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. DAVIS), a senior member of the Committee on Education and the Workforce.

Mrs. DAVIS of California. Mr. Speaker, after the extraordinary events of this week, I certainly had hoped that the House would move forward with a swift investigation into White House dealings with Russia. But, not to be distracted, it looks like the majority would rather spend the day stripping retirement benefits from millions.

We have known for a long time that workers who have access to retirement plans through their workplace are more likely to save for retirement than those who don't. It makes sense.

□ 1445

We also know that nearly half of middle class workers will fall into poverty when they retire.

Last year, the State of California did a great thing. It established a program to provide 7 million Californians with the tools to save for retirement.

The Secure Choice program lets workers who do not have a retirement plan through their employer contribute a share of their income to an IRA account administered by the State. Under this voluntary program—and I stress voluntary—countless Californians will get access to tax preferred retirement accounts for the very first time. That is extraordinary.

In August, the Department of Labor cleared the way for Secure Choice by ruling that States could move forward with their own programs to help workers save for retirement. Seven other States are in the process of implementing similar laws, and dozens more are considering their options.

The resolution in question today would undo the DOL's ruling, leaving States in a legal gray area that could put these programs in jeopardy. So I ask, Mr. Speaker, is this really how we should be spending our time?

DOL spent months reviewing public comments and carefully crafting this rule. The House will vote to repeal it without a single hearing. Really?

We should be doing everything we can to encourage savings across the board, certainly not voting to making savings harder for folks.

In States across the country, this effort has been bipartisan. I wonder if we would be considering this resolution if the rule in question had not been issued by a Democratic administration?

The word ''irresponsible'' does not even begin to do this for what would be justice in this area.

So I urge, Mr. Speaker, a ''no'' vote on this. Let's move forward. Let's allow more States to experiment so they can decide for themselves whether or not this is something that the folks in their State want to do.

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

I want to make note that, as we discuss this here today, there have been points made about businesses wanting this change, they want to work with the States, and they are concerned about liabilities. Well, if that were the case, we wouldn't have endorsements of this coming from the Chamber of Commerce, Air Conditioning Contractors of America, American Benefits Council, NFIB, just looking through, the Small Business and Entrepreneurship Council, National Federation of Independent Business, National Electrical Contractors Association, National Black Chamber of Commerce, and I could go on and on, businesses and the business associations and groups that deal with this and have concern about their employees, their retirees, having a good and safe mechanism by which to have their retirement savings protected, supporting our efforts here to take back what took place under the cover of darkness, as it were, which took retiree savings off the benefit of ERISA. I just want that to be made clear.

I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, just to clarify, there was a comment made that these are government-run plans. Under these plans, the States establish the framework for deducting the contributions, but these will be managed by investment professionals, not by the State.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr.

DESAULNIER), my colleague, and a leader on the Education and the Workforce Committee.

Mr. DESAULNIER. Mr. Speaker, I thank my good friend from the State of Oregon (Ms. BONAMICI) for the brief opportunity to speak.

I did want to speak personally just briefly on my experience in my previous job in the California legislature when I voted for the Secure Choice Act. Then we spent over 4 years working with the business community, the investment community, and our attorneys to make sure the issues that the majority have brought up in regards to ERISA and other concerns, and I did this specifically as a former small-business person with the small-business stakeholders, to make sure these concerns were taken care of. We think that they have been taken care of, and we are proud of the Secure Choice Act.

Close to 7 million Californians and 55 million people nationwide, most of them low- and middle-income, don't have access to retirement benefits through their employer. We are talking about people mostly who work for small businesses where neither the employer nor the employee can afford to enroll in expensive Wall Street-type financial advisers. They aren't able to pay the fees and the expenses.

This element of the U.S. economy, and at this point I have to agree with The New York Times editorial today, that this resolution appears to be more directed towards Wall Street than to Main Street. Wall Street, the financial sector, takes around 25 percent of all corporate profits in the United States, represents 7 percent of the U.S. economy, and creates merely 4 percent of all jobs.

The Secure Choice Act was directed away from those expensive investments and allowed for a more efficient process for working class Californians and Americans to be able to replicate this program and to be able to have a secure retirement.

The majority often talks about states' rights and having States be the laboratories of creation. I think in California we have done that on multiple issues, and certainly on this issue.

Without programs like this, most of the 55 million private sector Americans will end up relying on social security for more than half of their retirement income, which averages about less than $1,400 a month.

California and seven other States that have created similar retirement programs are looking out for working families. American workers are doing more today than they ever have before. Over the last 40 years, worker productivity has risen 73 percent, yet hourly pay has only increased 11 percent. Now they find their retirement more and more in jeopardy.

I would ask the majority to strongly reconsider this approach, and to work with California and other States to make sure that we can allow these Americans to have access to a secure retirement.

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

We are certainly willing to work with the States and would concur that there ought to be a laboratory.

But again, our concern, and basically the only concern, that this resolution deals with is that they be managed in such a way that they come under the protections given under ERISA. And why do we say that?

Well, we look at, for instance, Illinois' unfunded liability. We are looking at $114.8 billion at the end of fiscal year 2016—a State plan managed by, yes, an outside manager—but $114.8 billion under. We look at California Public Employees' Retirement System, CalPERS, which has a $228.2 billion shortfall in funding. Oregon's unfunded actuarial liability of the Oregon Public Employees Retirement Fund, again, managed by someone for Oregon, of $21.8 billion. If we looked at it all put together, we have over $5 trillion unfunded liability for State plans managed by some outside source.

That is where our concern comes from—this rule that was put through—that takes people out of the protections of ERISA. So we are saying: Have at it, States, but do it according to the rules and the protections that are there. That is all we are asking. We want retirees' savings to be protected for the purposes that they planned for and not come up short some day because of a lack of care and the coverage of ERISA on their plans.

I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I assure my colleague that, as someone with a consumer protection background, I would not be opposing this resolution if it had consumer protections. In fact, this rule applies when States have strict investor protections.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Financial Services Committee.

Ms. MAXINE WATERS of California. Mr. Speaker, I thank the gentlewoman for the time.

Mr. Speaker, I rise today in opposition to H.J. Res. 66, which is just a continuation of the House Republicans' attack on working families and their retirement security.

H.J. Res. 66 would dismantle the Department of Labor rule allowing for State-based retirement savings programs. This does nothing more than make it harder for this country's roughly 40 million private sector workers who do not have a way to save for retirement directly out of their regular paycheck.

Under the current Department of Labor rule, State administered retirement programs can allow employees, who do not have access to a workplace savings plan, to establish an IRA through a payroll deduction. In my State of California, we have the California Secure Choice retirement savings program through which the State is working to provide a savings option to roughly 6.8 million low- to middle-income workers.

Last Congress, House Republicans unanimously voted to undermine another Department of Labor rule designed to protect retirement security for working families. In that case, the rule ensured that workers receive retirement investment advice that is in their best interest, referred to as the ''fiduciary rule.'' Now congressional Republicans want to prevent workers from participating in voluntary savings programs.

The Department of Labor rule that the Republicans are now seeking to roll back provides clarity for States and employers so that California, and the several other States that have already enacted similar plans, can provide a simple savings tool for millions of working families.

Mr. Speaker, I just don't understand the arguments that are being made against the average working person who would like to have retirement savings. I don't know who is going to benefit if we do away with their ability to have a savings plan, even if they don't have one under the job that they work on. Who benefits? Is it Wall Street again? What is happening here, and why is it that we have H.J. Res. 66?

Mr. WALBERG. Mr. Speaker, we are not opposing voluntary plans. We are not opposing States setting up plans that will encourage retirement. We are not opposing that. We are just saying we want to make sure they are protected under the same requirements of ERISA that all other plans are. We want to make sure that those dollars are there when the people need them. That is all we are saying. We are not opposed to voluntary or plans for retirement.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM), my colleague and good friend, the chairman of the Ways and Means Subcommittee on Tax Policy.

Mr. ROSKAM. Mr. Speaker, I thank Chairman WALBERG.

There is an irony here, and it is an irony I think that is worth pointing out. This is, obviously, in the context, like the gentlewoman from California pointed out, of the fiduciary rule, which we are familiar with. That was an effort by the Obama administration to promulgate a new rule to create a new standard that would have an impact, Mr. Speaker, on investment advice.

It was clear that the net result of that was to do what? It would have crowded people out at the lower end of the economic spectrum, not give them access to the coverage or the advice that they needed, because the advice, Mr. Speaker, would have been too expensive, and it would have created the self-fulfilling prophecy, unfortunately, where wealthier people, who can afford it, are able to get good advice.

It was a terrible idea. We worked on a bipartisan basis. The administration

wouldn't have any part of the bipartisan solution. They jammed the rule down. It was a bad idea.

Yet, the same administration, Mr. Speaker, is now saying to the entities that we really shouldn't have confidence in, that is States and localities on these pensions, you have more flexibility. So think about it. Taking away flexibility from people who need help, locking them out, not intentionally, but locking them out, and yet giving more flexibility to the very entities that have demonstrated that they have not used that properly.

It is ironic. I mean, you can't make this up, basically. We need to do what we can, and here is what we can do. We can support this resolution, H.J. Res. 66—and 67—move its passage, reset this debate, and fundamentally have a new discussion about this, but we don't have to yield to these poor plans from the Obama administration.

□ 1500

Ms. BONAMICI. May I inquire as to the remaining time.

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

Ms. BONAMICI. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a senior member of the Ways and Means Committee.

Mr. BLUMENAUER. Mr. Speaker, my friend, Mr. ROSKAM, said you can't make things up. Well, unfortunately, people are. First and foremost, my colleagues on the other side of the aisle are conflating accounts that are in the name of individual savers who don't have pensions that would be set up under these proposals, with what has happened with State and local pension plans and, frankly, private pension plans that got over their skis, that overpromised, that added to things. These are just the accounts that belong to individuals.

Now, the hypocrisy strikes me that my Republican friends want to strip away the protections of the Affordable Care Act and turn it back to the States. Let them do with it what they will for Medicaid, for other local health programs. They think that is a great idea. But when governments on the State level like mine spent years developing a proposal that is innovative, that would protect people, that would involve no public tax dollars but at least engage people in a low-cost, transparent savings plan like we all have as Federal employees, then they don't want innovation, then they don't trust the States, then they want extra regulation that was never designed for programs like this.

I find it troubling that we would take a low-cost, high-impact program that has been developed in a number of States to help savers who have no program, that the private sector doesn't think they are important enough to invest in—or it is not worth their while—and strip that away. I think there is a reason why some business organizations, like the Chamber and other financial groups, are worried about this because this is a low-cost, high-impact, transparent program that will deliver benefits directly to employees. That is what more people should have.

I think they are afraid of the model and they are not willing to give the flexibility to the States in retirement that they are trying to do, throwing out the Affordable Care Act and having all sorts of innovation there.

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

Ms. BONAMICI. Mr. Speaker, I include in the RECORD additional letters in opposition to this resolution.

SERVICE EMPLOYEES INTERNATIONAL UNION,
Washington, DC, February 13, 2017.

DEAR REPRESENTATIVE: On behalf of the two million members of the Service Employees International Union (SEID), I urge you to vote against H.J. Res 66 and H.J. Res 67, resolutions disapproving of the Department of Labor's rules relating to retirement savings arrangements established by states and qualified state political subdivisions. The Department of Labor rules make it easier for small employers to offer their workers access to programs for retirement savings and achieve an essential component of the American dream.

There is a retirement savings crisis in our country. Fifty-five million workers do not have access to a retirement savings plan at work. As a result, nearly half of all workers have no retirement assets—no pension, no 401(k), and no IRA. States have stepped in to begin to address this crisis with innovative legislation that gives workers the opportunity to set aside their own money in low-fee, professionally managed savings accounts. Importantly, private sector money managers and administrators will be hired to run these programs on behalf of the states, generating American jobs. The Department of Labor issued rules that clarified that employers would not be subject to the fiduciary responsibilities and reporting requirements of the Employee Retirement Income Security Act (ERISA) under these state initiatives.

In addition to helping workers achieve a dignified retirement, the state initiatives provide small businesses with easy, low-cost access to a retirement savings plan. Small employers are the least likely to offer retirement savings plans because the cost can be prohibitive and the ERISA requirements can be onerous at the start. The state initiatives also are fiscally prudent actions that will save public spending. A new study by Segal Consulting estimated that state Medicaid costs would be reduced by $5 billion within the first ten years of implementation of the state plans. Those savings would grow exponentially over time as more workers retired with greater amounts of savings.

Five states—California, Connecticut, Illinois, Maryland and Oregon—have enacted legislation and will soon begin taking payroll contributions. About half of states have studied or are studying this concept. Massachusetts and Vermont are considering legislation that would also allow employer contributions. Contrary to misinformation being spread about these plans, the program funds are not guaranteed by the state, and state and participating employers will have no liability for the payment of retirement funds earned by the participants. These state plans are bipartisan public/private initiatives that appropriately use states as laboratories for innovation. They are a win for workers, for employers, and for governments at all levels.

SEIU is also deeply concerned with efforts under the Congressional Review Act (CRA) to circumvent the Executive Branch process of rulemaking and issuing regulatory guidance. Using the CRA authority to undo Agency regulations and guidance crafted carefully and with public input strips away the importance of the rulemaking process. Using this authority could significantly weaken or undo past and future rules that protect workers.

SEIU respectfully urges you to vote against resolutions H.J. Res 66 and H.J. Res 67 disapproving of these important rules. We may add votes on this legislation to our legislative scorecard. If you have any questions please contact John Gray, Legislative Director.

Sincerely,

MARY KAY HENRY,
International President.

SMALL BUSINESS MAJORITY,
Washington, DC, February 13, 2017.

Re House Joint Resolutions 66 and 67.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives, Washington, DC.

DEAR MAJORITY LEADER MCCARTHY: As a leading representative of the 28 million small businesses in America, Small Business Majority writes today urging you to oppose HJR 66 and HJR 67, which would overturn the U.S. Department of Labor's rule enabling states to establish retirement savings plans for private sector workers. Striking down this rule would have a chilling effect on states that are setting up their own retirement savings programs, which would be harmful to small businesses and their employees. We strongly believe states should be allowed to decide whether to implement these types of programs and how best to administer them in order to serve small businesses and employees who struggle to save for retirement.

The U.S. currently suffers from a retirement savings gap of more than $6 trillion, and more than three million households do not have any retirement savings at all. This lack of savings for retirement disproportionately affects those who are employed by small businesses. Eighty percent of workers employed by businesses with fewer than 25 employees do not have any sort of pension or retirement plan at all. This is important because small businesses employ about half of all private sector workers. Unless small business owners and their employees start doing more to prepare for the future, many Americans will not have enough money for their golden years.

Small Business Majority's state opinion polling found small business owners struggle to offer retirement savings programs due to a number of barriers, but they want to offer this benefit to their employees because it helps them attract and retain talent. What's more, the majority of small employers are concerned their employees will not have enough saved for retirement. That's why small businesses overwhelmingly support state efforts to establish state-administered retirement savings programs, like the Secure Choice Savings programs in Illinois and California.

When implemented, these programs will offer a convenient and affordable option for small businesses and their employees to save for the future. What's more, these programs will not be funded by taxpayer dollars, and employers will not contribute to funds, manage funds or have any responsibility for financial advice for their employees' investments.

Business owners know offering benefits like retirement savings create a happier and more productive staff, which in turn leads to increased productivity. Many small business owners think of their employees as family, so it's not surprising they support programs that enable them to foster a happier workforce while protecting their workers and their bottom line.

Additionally, programs like these help level the playing field between small businesses that want to offer retirement benefits but can't, and their larger counterparts that can. This helps small businesses compete for the best employees, and gives employers peace of mind that they are doing what's best for their workers.

Small employers need retirement savings options for their employees that make sense for their business and their bottom line. State-administered retirement savings programs, like those currently being established in California and Illinois, can help many small business employees better save for their futures. We urge you to uphold the Labor Department's rule and allow states to decide how best to serve their small businesses and private sector workers.

Sincerely,

JOHN ARENSMEYER.

TUESDAY, FEBRUARY 14, 2017.

Hon. PAUL RYAN,
Speaker of the House,
Washington, DC.

SPEAKER RYAN: Nearly 55 million workers across the country lack access to employer-sponsored retirement plans, and millions more fail to take full advantage of employer-supported plans. Without access to easy and affordable retirement savings options, far too many workers are on track to retire into poverty where they will depend on Social Security, state, and federal benefit programs for their most basic retirement needs. States across the country have been innovating to address this problem. We are writing to respectfully urge you to protect the rights of states and large municipalities to implement their own, unique approaches.

Last week, two resolutions of disapproval (H.J. Res 66, H.J. Res 67) were introduced to repeal key Department of Labor (US DOL) rules. If passed, these resolutions would make it more difficult for states and municipalities to seek solutions to the growing retirement savings crisis. We ask that you support the role of states as policy innovators by voting ''No'' on H.J. Res 66 and H.J. Res 67.

Thirty states and municipalities are in the process of implementing or exploring the establishment of state-facilitated, private-sector retirement programs. Eight states have passed legislation to allow individuals to save their own earnings for retirement (no employer funds are involved as these are not defined benefit plans). While most state and municipal plans will be governed by independent boards, the day-to-day investment management and recordkeeping would not be conducted by the state, but rather by private sector firms—the same financial institutions that currently provide retirement savings products. These programs would apply to businesses that don't currently offer a retirement plan, and would in no way limit an employer's ability to seek out and offer their own employer-sponsored plan.

Many states and municipalities are planning to use Individual Retirement Accounts (IRAs) that will be wholly owned and controlled by the participant, while others are pursuing options such as Voluntary Multiple Employer Plans (MEPs) and marketplace concepts. These plans would follow all relevant guidelines and other noted regulations, and current consumer protections would apply. Many of these programs are modeled off of the 529 College Savings Plans or supplemental public retirement plans that states administer today.

States are pursuing a multitude of solutions to address this growing retirement savings crisis. We request that you vote ''No'' on H.J. Res 66 and H.J. Res 67 with the understanding that the US DOL rule provides important flexibility to states and large municipalities as they seek to address the growing retirement crisis facing this country. We insist that states be allowed to maintain their constitutional rights to implement such legislation.

We are happy to provide additional information or answer any questions. Thank you for your support.

Sincerely,

Beth Pearce, Vermont State Treasurer; Joseph Torsella, Pennsylvania State Treasurer; Allison Ball, Kentucky State Treasurer; Ron Crane, Idaho State Treasurer; David Damschen, Utah State Treasurer; Kelly Mitchell, Indiana State Treasurer; Tobias Read, Oregon State Treasurer; Lynn Fitch, Mississippi State Treasurer; Terry Hayes, Maine State Treasurer; Michael Frerichs, Illinois State Treasurer; John Chiang, California State Treasurer; Brian Bonlender, Director, Washington State Department of Commerce; Nancy Kopp, Maryland State Treasurer; Kevin Lembo, Connecticut State Comptroller; Ron Henson, Louisiana State Treasurer.

FEBRUARY 14, 2017.

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Speaker of the House,
Washington, DC.

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States are pursuing a multitude of solutions to address this growing retirement savings crisis. We request that you vote ''No'' on H.J. Res 66 and H.J. Res 67 with the understanding that the US DOL rule provides important flexibility to states and large municipalities as they seek to address the growing retirement crisis facing this country. We insist that states and large municipalities be allowed to maintain their constitutional rights to implement such legislation.

We are happy to provide additional information or answer any questions. Thank you for your support.

Sincerely,

TIM BURGESS,
Seattle City Council, Finance Chair.

SCOTT M. STRINGER,
New York City Comptroller.

ALAN L. BUTKOVITZ,
Philadelphia City Controller.

FEBRUARY 15, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: We are writing to strongly oppose H.J.Res 66, which overturns the recent Department of Labor rule supporting states' efforts to establish retirement savings plans for non-governmental workers. As a national, non-partisan Millennial research and advocacy organization, we have been working hard to strengthen the financial security of young adults by increasing access to retirement savings plans. This legislation may have a chilling effect on the implementation of Secure Choice, an important new program that will help address the looming retirement crisis without costing taxpayers a dime.

Changing dynamics in the workforce mean that Millennials tend to work in industries that offer lower wages and fewer benefits. Despite an interest in saving the small amounts of discretionary income they do have, many young adults do not have access to workplace retirement savings plans, including less than half of low-income Millennial workers. Young adults are significantly less financially secure today than their parents were just one generation ago: 25–34 year-old Millennials have half the net wealth and earn 20 percent lower incomes when compared to 25–34 year-old Baby Boomers. Limiting access to tools for saving makes catching up financially that much more challenging for this generation.

Many states have worked diligently for over four years to develop Secure Choice, which will provide workers who do not have access to a workplace retirement plan a simple, voluntary, low-cost, and portable retirement plan. Experts agree that direct contributions from a paycheck into a retirement account is the simplest and most effective way for individuals to save.

This is why support among Millennials for a state facilitated retirement savings plan like Secure Choice is extraordinarily high: over 85 percent of young adults across political affiliation and ideology support ''a voluntary option for workers without a way to save for retirement at work.''

We urge you to oppose H.J.Res 66 and allow individual states to develop the tools young Americans need to save for retirement.

Sincerely,

YOUNG INVINCIBLES.

STATE OF CONNECTICUT,
OFFICE OF THE STATE COMPTROLLER,
Hartford, CT, February 14, 2017.

Hon. JOE COURTNEY:
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE COURTNEY: I am writing to seek your support in preserving and strengthening the rights of Connecticut and other states to address a growing retirement savings crisis that threatens our state and national economy.

I am proud that Connecticut is among the states leading the way for retirement security. The Connecticut Retirement Security Authority savings program will ensure that retirement savings opportunities are more readily attainable for the 600,000 private-sector workers who lack access to a retirement savings plan through the workplace and who deserve financial security after a lifetime of work.

According to Connecticut-specific data from the Schwartz Center for Economic Policy Analysis at The New School, between 2000 and 2010, employers offering a retirement plan declined from 66 percent to 59 percent. In other words, four out of 10 workers residing in Connecticut do not have access to a retirement plan at work.

In Connecticut's market analysis conducted by Boston College, we found that these uncovered workers were more likely to earn lower income and are largely unserved by the financial sector, so their needs are often different from other 401(k) participants. It is important to protect against a transfer of wealth from the bottom to the top because high fees on low dollar accounts are a huge obstacle to retirement savings, particularly for lower income workers.

There is an entire generation of employees, many of them lifelong hard-working middle class people, who are headed to retirement financially unequipped, in part due to lack of access to a workplace-based retirement savings option. This is a problem, not only for those individuals and families who are financially forced to delay retirement indefinitely, but for our entire state and economy. In many cases, these individuals may be forced to turn to the state for assistance with health care, nursing care, food, housing, energy or other costly services.

The goal is not to compete or replace the private market, but to fulfill a significant unmet need in the market that must be answered for the sake of those families and our entire state economy. The market is currently failing to reach nearly half of our workforce even though the demand is there According to an AARP 2015 survey, 64% of small businesses in Connecticut that were not offering a retirement plan stated that they would take advantage of a state plan if it were offered.

Connecticut was heartened by the U.S. Department of Labor rule last August, providing a safe harbor for states to conduct these programs. While we have been advised by several ERISA attorneys that the U.S. Department of Labor rule was not required, and that states already have the right to establish such programs, the proposed bills nullifying the U.S. Department of Labor rule and attempting to roll back states' rights may create a chilling effect on the companies who would want to administer these programs. I strongly urge you to vote against H.J.Res.66 and support states' rights to create these programs.

Sincerely,

KEVIN LEMBO,
State Comptroller.

Ms. BONAMICI. I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the co-chair of the Congressional Task Force on Seniors.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding and her leadership on the Working Families Agenda.

Get this: Americans over 44 years of age are more afraid of running out of income in retirement than they are afraid of dying. Median retirement savings in the United States of America is only $2,500. We have a retirement crisis. Only my Republican colleagues haven't gotten the message.

The New York Times asked: ''Who'd Want to Limit Retirement Plans?'' and answered with two words: ''House Republicans.''

It isn't just that Republicans haven't made retirement security a priority; they are actually working against it. They oppose the rule that saves retirees up to $17 billion a year, lost to bad investment advice, a rule that simply requires financial advisers to give advice that is in the client's best interest, not their own.

Today Republicans are trying to prevent States and cities from expanding private retirement savings. Nearly 1.3 million workers in my State, Illinois, lack job-based retirement savings options. State Senator Daniel Biss won passage of the Illinois Secure Choice Savings Program that creates a retirement plan with automatic deductions that has proven successful in increasing individual retirement savings. Last summer, the U.S. Department of Labor acted to move this plan forward for Illinois and other States.

Today we face Republican efforts to block action, to overturn the Department of Labor rule and jeopardize the financial security of 1.3 million Illinois workers and millions of others across the country without access to job-based retirement plans.

There is a saying: ''Lead, follow, or get out of the way.'' If my Republican colleagues won't lead or follow, at least they should get out of Illinois' way.

I urge a ''no'' vote.

Mr. WALBERG. Mr. Speaker, I include in the RECORD a letter, undersigned, representing thousands of businesses, individual employees, and retirees from almost two dozen specific groups in support of H.J. Res. 66.

FEBRUARY 13, 2017.

TO THE MEMBERS OF THE UNITED STATES CONGRESS: The undersigned organizations, representing thousands of businesses, express our support for H.J. Res. 66 and H.J. Res. 67, resolutions of disapproval under the Congressional Review Act (''CRA'') to invalidate the Department of Labor's (''DOL'') ''safe harbor'' regulations on Savings Arrangements Established by State and Political Subdivisions for Non-Governmental Employees.

These ''safe harbor'' regulations allow states and cities to mandate private employer participation in state-sponsored automatic IRA programs. It also provides that states that offer these programs are not subject to ERISA despite considerable opinions to the contrary. Thus the DOL is encouraging state and local governments to provide private sector employees retirement programs that do not have the same high-level protections as other private employer-sponsored plans.

Below we highlight a number of our concerns with the ''safe harbor.''

Lost worker protections—States offering these plans to private sector employees are not subject to ERISA, therefore limiting the protections for workers in these plans.

Different standards from state to state result in an administrative quagmire for employers—States can and will have different rules for their programs, so employers operating in multiple states, or just with workers from multiple states, will have to track the complex web of varying rules to ensure compliance.

Fewer employer plans, especially among small businesses—If a state mandates auto-IRAs, some employers will decide to avoid taking on the work of offering their own plans and let the state take it on instead, resulting in the loss of significant retirement savings opportunities for their workers.

Mismanagement of state pension funds—Many states have mismanaged their public employee retirement systems, and it's not clear they'll do a better job controlling assets of millions of small private sector savers. Also, some state pension funds restrict investments to favor state initiatives or engage in politically motivated investment and divestment schemes instead of investing in the economic interest of the workers.

Imposes a mandate on private employers—The ''safe harbor'' requires that the state program mandate employer participation even though retirement savings plans are traditionally voluntary.

We urge Congress to take timely action under the CRA to vitiate these misguided regulations. We thank you for addressing this important issue.

Sincerely,

Air Conditioning Contractors of America, American Benefits Council, American Composites Manufacturers Association, Financial Services Institute, Financial Services Roundtable, Heating Air-conditioning & Refrigeration Distributors International (HARDI), Insured Retirement Institute, International Franchise Association, Investment Company Institute, National Association of Insurance and Financial Advisors (NAIFA), National Black Chamber of Commerce.

National Electrical Contractors Association, National Federation of Independent Business, National Retail Federation, Secondary Materials and Recycled Textiles Association (SMART), Small Business & Entrepreneurship Council, Small Business Council of America, Small Business Legislative Council, Society for Human Resource Management, The ESOP Association, The Latino Coalition, U.S. Chamber of Commerce.

State Chapters of NAIFA

NAIFA—Alabama, NAIFA—Alaska, NAIFA—Arizona, NAIFA—Arkansas, NAIFA—California, NAIFA—Colorado, NAIFA—Connecticut, NAIFA—Delaware, NAIFA—Florida, NAIFA—Georgia, NAIFA Greater Washington D.C., NAIFA—Guam, NAIFA—Hawaii, NAIFA—Idaho.

NAIFA—Illinois, NAIFA—Indiana, NAIFA—Iowa, NAIFA—Kansas, NAIFA—Kentucky, NAIFA—Louisiana, NAIFA—Maine, NAIFA—Maryland, NAIFA—Massachusetts, NAIFA—Michigan, NAIFA—Minnesota, NAIFA—Mississippi, NAIFA—Missouri, NAIFA—Montana.

NAIFA—Nebraska, NAIFA—Nevada, NAIFA—New Hampshire, NAIFA—New Jersey, NAIFA—New Mexico, NAIFA—New

York, NAIFA—North Carolina, NAIFA—North Dakota, NAIFA—Ohio, NAIFA—Oklahoma, NAIFA—Oregon, NAIFA—Pennsylvania, NAIFA—Puerto Rico, NAIFA—Rhode Island.

NAIFA—South Carolina, NAIFA—South Dakota, NAIFA—Tennessee, NAIFA—Texas, NAIFA—Utah, NAIFA—Vermont, NAIFA—Virginia, NAIFA—Washington, NAIFA—West Virginia, NAIFA—Wisconsin, NAIFA—Wyoming.

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

Ms. BONAMICI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), a senior member of the Appropriations Committee.

Ms. KAPTUR. Mr. Speaker, America should no longer be shocked with the Republican mantra of ''no'' to everything—that is, until Wall Street and the financial services industry calls. Today's action on H.J. Res. 66 and 67 illustrates this unfortunate reality.

Congressional Republicans once again are putting the financial industry ahead of average American workers. Their attempt to roll back President Obama's Department of Labor rules, which expanded working families' abilities to save their own retirement money through State- and large-city-administered retirement savings programs. The Republican proposal restricts saving options for working people.

For years, Republicans have hawked a false crisis about Social Security solvency; meanwhile, now they are proposing a very real retirement security crisis for America's seniors. We are nearing a boiling point. The difference between what average Americans have saved for retirement and where their savings should be is staggering: more than $6 trillion in shortfalls.

Roughly half of all U.S. families have no money set aside for retirement. Thirty-nine million Americans don't have access to a workplace retirement savings plan. Even Americans who work diligently to save for retirement are falling behind. With 10,000 American seniors reaching retirement age every day, enormous strain on the Federal budget is mounting to make up the difference.

Today most workers don't have a pension. Those that do, can't be so sure it will be there throughout their golden years. There has been a dramatic decline in guaranteed retirement benefits through employer support.

Without access to easy and affordable savings vehicles, far too many American workers will retire into poverty. This leads to overreliance on Social Security and other State and Federal assistance programs. It surely isn't the American Dream.

President Obama identified this crisis. He spoke to Congress about trying to work together to address it through bipartisan action, but our Republican colleagues said ''no.'' Their failure to act drove President Obama to coordinate with States, eight of which have already passed laws to create State-administered retirement programs for private sector workers, which H.J. Res. 66 and 67 would roll back.

More than half the States are considering similar action to improve retirement readiness, and these plans help small businesses offer savings plans for their employees without imposing financial burdens.

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

Ms. BONAMICI. Mr. Speaker, I yield an additional 10 seconds to the gentlewoman.

Ms. KAPTUR. Mr. Speaker, so what do Congressional Republicans have as an alternative solution? Nothing.

The cost to roll this rule back is significant. It is not good for retirees or workers, and it maintains the growing burden on taxpayers who fund assistance programs.

I urge all of my colleagues to reject this shortsighted action. Stand up for the American working class and oppose both H.J. Res. 66 and H.J. Res. 67.

Mr. WALBERG. Mr. Speaker, I just make one comment that, when my colleagues on the other side of the aisle had both Houses and the White House and the opportunity to do these reforms, they weren't done. Yet, now, when we stand with great concern because of a midnight rule that was put through that takes away the security of retirees in programs that will be, as I said earlier, foisted upon employers to automatically enroll their employees into government-run IRAs—allowing the same States to skirt the Federal law of ERISA—and deny workers important protections, we are pushed back on.

I have some concern about that. When the opportunity to do what they say they want to be done could have been done with both Houses under control of the same party and the White House, this was not undertaken. Yet we are called out and told that we are hurting retirees when, in fact, we are giving assurances to retirees that you will come under the same protections regardless of where you go, and we expect that to be the case because it has worked. That is decried. I find that less than objective in its honesty.

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

Ms. BONAMICI. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader of the U.S. House of Representatives.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for her hard work on this important issue.

Mr. Speaker, every American should be able to trust in the promise that, after a life of hard work, a secure and dignified retirement will be there for them. But today, that promise is at risk. Half of all private sector employees in America, almost 60 million people, do not have access to any type of employer-sponsored retirement plan.

It is a problem that Republicans should remember when they plan to raise costs on seniors, when they work to slash Medicaid and they destroy the sacred guarantee of Medicare.

Yet, once again, Republicans have come to this floor not with the retirement security of hardworking families in mind, but with a greedy Wall Street first agenda.

Under the Obama administration, the Department of Labor empowered the States to create innovative solutions to the retirement savings crisis. The gentleman is talking about—some of these savings didn't even exist when we had the majority.

In States across the Nation, the great laboratories of our democracy went to work just as they should. My State of California decided to create something called Secure Choice, a State-run retirement plan that allows employees to be auto-enrolled into an IRA if they work for a business with five or more employees.

In doing so, California will give almost 7 million workers access to retirement savings—no substitute for a pension or a 401(k), but a vital step toward a greater retirement security. Other States have stepped forward with their own plan, the gentlewoman's State of Oregon being one of them: Oregon, California, Illinois, Washington State, Connecticut.

The Republican measure targets workers' savings accounts in those States and chills efforts to foster retirement savings accounts in some 20 other States. In some cities, including the city of our chair, Mr. CROWLEY, New York City is attempting to move in that direction.

So today, instead of supporting States' innovation—this is a states' rights bill to the party of states' rights—Republicans have decided Wall Street's profits are more important than workers' retirement savings.

This Republican resolution is opposed by the AARP, the National Conference of State Legislatures, the AFL–CIO. In fact, the AARP letter to Congress states, starts, as a matter of fact:

On behalf of hardworking Americans who struggle to save for retirement, AARP urges you to vote against a Congressional Review Act resolution to overturn the Department of Labor's final rule on ''Savings Arrangements Established by States for Non-Governmental Employees.''

And while Republicans race to do the bidding of their Wall Street friends, they still have not lifted a finger to create more good-paying jobs for hardworking Americans.

□ 1515

Let's just make a comparison. On Friday, it will be 4 weeks since President Trump took office.

Let's go back 8 years to when President Obama took office. On January 20, 2009, President Obama stood on the steps of the Capitol and asked for swift, bold action now to create good-paying jobs, to establish education for the 21st century, and the list goes on for swift, bold action now.

One week and one day later, the House passed the American Recovery

and Reinvestment Act. One week after that, the Senate passed the bill. And on February 17, which would be Friday of this week, 4 weeks since the inauguration of President Obama, President Obama signed into law the American Recovery and Reinvestment Act, which created or saved around 4 million jobs of the American people, stopping the loss of jobs that existed in the Bush administration. That is something that is so remarkable.

So where is the jobs bill from the Republicans? Wasn't this election about jobs? Where is their jobs bill? Where is the infrastructure bill?

By the way, President Obama also passed the Lilly Ledbetter Fair Pay Act even before the American Recovery and Reinvestment Act. He also signed the SCHIP program, which had bipartisan support in the Congress and much more.

This do-nothing Congress, except do stuff for your friends who will exploit the environment, clean air, clean water—you name it—retirement savings, has done nothing.

As I said, within 4 weeks of the Obama administration, all those bills had passed.

Today is February 15, and I ask my Republican colleagues: Where is your jobs bill? Why do you have time for Wall Street's agenda, but no plans to create jobs for hardworking Americans?

This is the people's House. We must do the people's business. You must do a better job by the people we serve. When you are ready to do that, we look forward to working with you in that regard.

I join the AARP in urging a ''no'' vote on this ill-advised CRA.

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

In response to the gentlewoman from California, I would just say that much of what we have been doing for the past 4 weeks on the floor, including today, is trying to give a shot in the arm to our economy, to our workers, our workforce, our retirees, and savers to take off some of the traps that have been put in place that have frustrated this economy and the growth of this economy for 8 years.

There is a reason for what took place at the ballot box. And the expectation is that we move to take some of the clamps of the Federal Government off the private sector, the States, the local communities, and, more importantly, the citizens of this country.

I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I would like to inquire as to the remaining time, please.

The SPEAKER pro tempore. The gentlewoman from Oregon has 4¼ minutes remaining.

Ms. BONAMICI. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Speaker, I rise today in opposition to yet another reckless attack by the majority on the retirement security of millions of Americans. I don't get why the majority is so determined to go after the retirement security of so many millions of Americans across this country, but that is what H.J. Res. 66 would do.

It may get harder for everyday Americans to prepare for their retirement. The resolution we are considering today would prevent State governments—it doesn't make any sense to do this—from providing retirement savings opportunities for their citizens.

The fact of the matter is, as was just alluded to, this resolution was designed at the behest of Wall Street and well-connected lobbyists to sideline competition and transparent financial products in the retirement savings market. But this isn't the first time.

They put all their energy behind blocking the automatic IRA when it was a proposal that came forward a few years back, even though it was a Heritage Foundation proposal. Then they went after the fiduciary rule that President Obama and the Department of Labor sought to put in place that would protect our retirees from unscrupulous investment advisers.

Then President Trump comes in with an executive order to undo what the Department of Labor was trying to do. So we shouldn't be surprised by this action, but we ought to be furious about it.

My State, Maryland, was one of the States that tried to figure out how to protect retirees because we couldn't get it done up here. Now, what are we doing? The party of states' rights is advancing a Congressional Review Act resolution designed to hinder State legislatures that are working to provide access to safe and affordable retirement savings options for their citizens. We shouldn't allow this to happen.

I encourage my colleagues to reject this senseless resolution.

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

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

I thank all of my colleagues who came this afternoon to speak in opposition to this resolution. It shows how important it is to the working people in our States and in our districts. These are people who do not have a retirement plan. That is who we are looking out for.

I urge all my colleagues today to stand up for workers who deserve that chance at saving for retirement and who will get that chance because Oregon and other States have stepped up and are taking action.

Again, the Department of Labor safe harbor rule applies to States that have strict investor protections. We wouldn't be here today if those strict investor protections were not maintained.

I especially urge my colleagues, particularly those of us who are concerned about states' rights, not to undermine States like Oregon and all the others that have stepped up to create these innovative solutions. There is a gap. That is why so many people today do not have retirement savings.

Colleagues, please join us in opposing H.J. Res. 66.

I yield back the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield myself the balance of my time, and I express appreciation for the full-throated debate that went on here. It is good to do that.

It is good for the opportunity to make it very clear that retirement security is a significant challenge facing this country. We have said that. I am glad that on the floor of the House today both sides of the aisle indicated concerns for that. Far too many men and women are struggling to save for their retirement years.

Unfortunately, in recent years, we have seen regulations like the fiduciary rule that will make it harder for low- and middle-income families to save for retirement. And we have seen a regulation that would strip away important protections for retirement savers.

As policymakers, we must do more to expand retirement options for workers. That is a given. That we can agree on. However, the regulatory loophole created by the Obama administration is clearly not the answer.

I want to remind my colleagues that this resolution does not prevent States from coming up with new retirement options for workers. That is not what this resolution is about, and simply reading it will assure you of that.

This resolution is about ensuring every American has strong protections for a secure retirement.

I urge my colleagues to protect retirement savers by voting in favor of H.J. Res. 66.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 116, the previous question is ordered on the joint resolution.

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

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

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

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

Ms. BONAMICI. 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.

DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO SAVINGS ARRANGEMENTS BY QUALIFIED STATE POLITICAL SUBDIVISIONS FOR NON-GOVERNMENTAL EMPLOYEES

Mr. WALBERG. Mr. Speaker, pursuant to House Resolution 116, I call up 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, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 116, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 67

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Department of Labor relating to ''Savings Arrangements Established by Qualified State Political Subdivisions for Non-Governmental Employees'' (published at 81 Fed. Reg. 92639 (December 20, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. WALBERG) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 67.

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

There was no objection.

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

I rise today in support of H.J. Res. 67, the second of two resolutions the House is debating today to ensure strong protections for retirement savers.

There are two parts to the regulatory loophole we are seeking to close today. First, the Obama administration created a sweetheart deal that would allow States to deny important protections for retirement savers. Then, a second regulation was issued to extend that sweetheart deal to cover certain cities and counties.

The resolution we are debating right now would block the second regulation and ensure retirement savers in every city are afforded longstanding protections under Federal law. It would also ensure employers continue to have clear rules of the road for retirement plans. The last thing employers, who are trying to provide benefits for their employees, need is a confusing patchwork of rules that vary across cities and counties, even in the same State.

As I mentioned during the earlier debate, States and cities should be free to experiment with new ways to help workers save for retirement. All this resolution says is that they must follow the law and provide retirement savers strong protections. That is a commonsense idea that we should all get behind.

I urge my colleagues to support H.J. Res. 67.

I reserve the balance of my time.

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

I rise in strong opposition to H.J. Res. 67, which would nullify the Department of Labor rule enabling certain State political subdivisions, such as cities or counties, to establish payroll deduction retirement savings plans.

Working families across the country deserve the opportunity to retire with security and dignity. That is not a reality for millions of Americans. In fact, about 40 million private sector workers do not have access to retirement savings plans at their jobs and are struggling to make ends meet.

Several States, including my home State of Oregon, have developed and are ready to implement innovative solutions that will help workers save for retirement. Municipalities are also interested in stepping up to address this challenge and help their residents save. These are people who do not have a plan currently. They want help; they need help in saving.

So in August of 2016, the Department of Labor issued its final rule providing guidance and clarity to States and private sector employees on the kind of State-based payroll deduction retirement savings programs that would not be subject to ERISA, the Employee Retirement Income Security Act.

As part of that August 2016 final rule, the Department of Labor indicated that it would initiate another rulemaking process to consider whether and how to include other jurisdictions. The Department of Labor invited and considered public comment on this process.

As a result, in December of 2016, the Department of Labor issued a final rule that would allow certain localities under specific conditions to establish retirement savings programs.

□ 1530

To be eligible, the locality must have an authority under relevant State law; it must be larger than the least populous State, which is currently Wyoming, at approximately 600,000 residents; it must not be in a State that has already enacted a statewide payroll deduction savings plan; and it must implement and administer the plan for its workers.

Now, according to the Department of Labor's final rule, three cities, New York City, Philadelphia, and Seattle, were identified as having potential interest. New York City's comptroller has noted that 57 percent of the city's private sector workers do not have access to a retirement plan at their place of employment.

This final rule just went into effect last month, and now my friends on the other side of the aisle are rushing to repeal the rule and prevent the Labor Department from issuing any substantially similar rule in the future.

Congress should be in the business of helping people save for retirement, not in the business of unfairly limiting or jeopardizing workers' ability to save for retirement; nor should Congress go out of its way to undermine the rights of cities and counties to implement innovative solutions that are needed for their residents.

I urge my colleagues to reject H.J. Res. 67 and get to work on meaningful solutions to address our country's retirement security crisis. America's working families deserve the opportunity to be able to save enough to retire with dignity and security.

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

Mr. WALBERG. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. FRANCIS ROONEY), who evidenced his complete commitment to meeting the needs of all people by receiving an ambassadorship and performing duties very well to the Holy See.

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in strong support of H.J. Res. 67, a resolution which will protect individual savers for their retirement and small business retirement plans.

I was proud to introduce this resolution to affirm the bipartisan protections the ERISA law has afforded workers and retirees for decades. ERISA offers important legal safeguards so workers and retirees will receive their hard-earned savings.

We need Federal Government policies that will empower workers to save for their retirement and incentivize small businesses to offer 401(k) plans to their employees.

H.J. Res. 67 preserves these policies and protections, and will terminate the defective efforts instituted in the last hours of the recent administration, in which they implemented regulatory loopholes to replace private savings for retirement with sweetheart deals for city- and State-run programs with fewer protections and lower standards.

The California folks that are in charge of this stuff were quoted in an article in a national publication in the spring, gloating about their exciting win, and that it ''would have no liability or fiduciary duty for the plan. . . . We have been given the green light. . . . ''

The regulation we are terminating here would restrict our hardworking savers from deciding what they can invest in. They will be required to blindly entrust their hard-earned money to State and local bureaucrats unless they affirmatively opt out.

The government will decide what investment options will be available to them. There is a serious risk of political or social investing by these bureaucrats instead of individual investor-based decisions.

Worst of all, the regulation which we are abolishing would undermine the very successful 401(k) retirement savings program. Due to 401(k)'s and related defined-contribution plans, savings have gone from $7.8 billion to over $25 billion in about 20 years. It has been a huge success.

We should be encouraging Americans and private companies to privately invest in 401(k) plans, which offer three distinct advantages:

The contribution amount to a 401(k) plan is three times what can be put in an IRA.

Employers match contributions. Many companies match 1 for 1 up to 4 percent of what the employee puts in. That is a powerful incentive for the employee to save.

The last thing is, 401(k) plans are protected by the ERISA law. They ensure that workers' savings are secure.

Furthermore, some 57 million Americans currently participate in privately funded IRAs.

In the end, the regulations which we are abolishing were just another Big Government mandate to crowd out the private sector. These resolutions will put an end to the Obama administration's sweetheart deal, and will ensure that private sector workers continue to receive strong protections as they save for their retirement.

This resolution will block the chance for cities and States to get their hands on our friends' and our employees' retirement savings.

Mr. Speaker, I urge my colleagues to protect retirement savers today by voting in favor of H.J. Res. 67.

Ms. BONAMICI. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. CROWLEY), the chair of the House Democratic Caucus and a senior member of the Ways and Means Committee.

Mr. CROWLEY. Mr. Speaker, sweetheart deals?

Since when is it a sweetheart deal to have a modicum of retirement for working poor and middle class people?

That is a sweetheart deal?

All I hear from the other side of the aisle is people talking about government overreach, executive orders, and unnamed bureaucrats. So it is surprising that today the Republican majority is creating a manmade roadblock toward helping working Americans save their own money for their own retirement.

We have all heard about the olden days when, if you worked for a company for life, you could retire with a guaranteed pension. Now, with the exception of union workers, the days of a guaranteed pension plan for most private sector workers are a thing of the past. Captains of industry don't offer them anymore. They line their own pockets instead.

Some employers have tried to fill that retirement income gap by offering 401(k) retirement savings plans. Not a bad thing, but it was not the answer that everyone thought it was going to be, the panacea that everyone made it out to be.

But for far too many companies, they don't offer any retirement package to their employees at all. Today, half of all Americans going to work are not offered a retirement plan from their employer, meaning these workers are not accumulating any nest egg outside of Social Security for their retirement years.

To address this growing retirement savings crisis, the Obama administration made it easier for States and large municipalities to sponsor their own 401(k)-style retirement plan for their residents who work in the private sector, but are not offered any retirement plan from their private sector job. They are not offered by their employer that 401(k) plan. They have nothing, no opportunity.

These rules do not require employees to participate, so the captains of industry who don't offer their employees a retirement plan, under the Obama administration rules, would not even have to participate. These rules do not require any employer contributions.

What these rules simply do is create a pathway for States and large cities, if they choose, to enroll private sector workers into a retirement savings vehicle so they can start saving early to enjoy the benefits of a more financially secure retirement. And what is wrong with that?

It is a universal fact that the most successful way to get people to save for their retirement is to enroll them in a retirement plan through their workplace and have a percentage of their pay taken out automatically and invested for the long-term future and for their benefit.

So these Obama administration rules were actually adopting best practices to help workers who had been offered no opportunity to save for their retirement, to start to build their own nest egg with their own money for their own future, potentially even investing in a private 401(k) plan down the road.

The cruel irony is, if these two bills pass, congressional Republicans will have prohibited States and local governments from trying to help those workers who have been forgotten about by some in the Federal Government and ignored by the private sector marketplace.

What ever happened to local government being the laboratory of democracy?

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

Ms. BONAMICI. Mr. Speaker, I yield an additional 1 minute to the gentleman from New York.

Mr. CROWLEY. Now, I could understand if Republicans in Congress were working on a national plan to ensure that every American who works their whole life could have some form of guaranteed income in addition to—and not as a replacement for—Social Security.

But you don't have one. You never have. I won't say you never will, but you don't have, and you never have yet. Then maybe there would be some justification for the action you are taking today, but that is not the case.

In fact, Republicans in Congress have done nothing to protect workers or retiree benefits, and they are the party that wants to privatize Social Security.

But today, with these two bills, they go one step further to eliminate the ability of millions of workers from even the potential to enjoy some financial comfort after a lifetime of work.

It is time for a progressive agenda for America that puts America's workers first and their families first.

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

Again, I just—for matters of accuracy about the legislation that is in front of us, I think it ought to be clear that both sides of the aisle can agree that we ought to encourage retirement savings and we ought to be willing to look for choices, opportunities, variety, all of that, and allow States, local communities, cities, to be creative, to look for a means by which we can foster increased retirement savings.

All this legislation is doing, though, is saying that we want those approaches to be protected for the retirees. That is all we are saying. We are not opposing States. We are not opposing cities. We are not opposing counties, municipalities, from establishing plans. But we want them to come under ERISA, the same requirements that other people come under, and make sure that people aren't sold a bill of goods that they lose in the future. That is all we are saying.

Mr. Speaker, I just want to make that clear. None of the proposals or the statements that are being made that what we are trying to do is stop people from having retirement options is accurate. We just want them to be protected.

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

Ms. BONAMICI. Mr. Speaker, to clarify further, this rule simply amends the State rule that we addressed in H.J. Res. 66, that gives the safe harbor to jurisdictions with strict investor protections.

Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. ESPAILLAT), a new member of the Education and the Workforce Committee.

Mr. ESPAILLAT. Mr. Speaker, I rise today in strong opposition to H.J. Res. 67, which is yet another assault on working families.

Mr. Speaker, not only are my Republican colleagues launching a broad, overreaching attack on increasing access to retirement savings opportunities for our workers, but through H.J. Res. 67, they are directly targeting my

home of New York City and the constituents of New York's 13th Congressional District. Once again, without any regard to the consequences of these reckless actions, Republicans are playing politics with the lives and financial security of our citizens.

If passed, H.J. Res. 67 will nullify a Department of Labor rule, just 1 month after it went into effect, that supports the efforts of large cities or counties, like New York City, in establishing retirement savings plans for their residents.

This rule is narrowly applied to jurisdictions that are populous enough to be their own State and whose States do not already have provided statewide payroll deduction saving plans. This is to ensure that the policy only goes into effect in cities where the people are in real need.

In New York City alone, 1.5 million private sector workers—almost 60 percent of the private sector workers throughout the city—do not have access to a retirement plan through their employer or business.

□ 1545

This rule gives New York City the ability to expand access for private sector workers to retirement savings plans. Rolling back this rule rips the opportunity to save for retirement out of the hands of millions of people.

Mr. Speaker, rushing to overturn this innovative rule without offering a single constructive alternative is irresponsible. This is just another example of Republicans attempting to hastily undo provisions that have helped people in real need without even providing a replacement plan to ensure working families have financial security after their retirement.

To make matters worse, using the Congressional Review Act to roll back this rule will prevent the Department of Labor from reissuing any substantially similar rule in the future. This is all on top of last year's Congress' abuse of the CRA in an attempt to nullify the fiduciary rule, which ensured that the advice workers receive is in their best interest.

This only further solidifies that House Republicans are not interested in helping workers. Instead, they are interested in deconstructing rules that protect our workers. House Republicans have failed to pass comprehensive and potentially bipartisan legislation to address our Nation's retirement security crisis and, instead, are pushing partisan legislation that is harmful to our Nation's workers.

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

Ms. BONAMICI. Mr. Speaker, I yield an additional 3 minutes to the gentleman from New York (Mr. CROWLEY) because New York, according to their comptroller, has noted that 57 percent of the city's private sector workers do not have access to a retirement plan at their place of employment.

Mr. CROWLEY. Mr. Speaker, we need to tackle a challenge that is threatening the financial security of the middle class and those who are working hard to remain in it. That is not just in New York City, that is throughout our entire country, but particularly in my home city and my home State, and that is a savings and retirement security crisis in America.

The word ''crisis'' is no exaggeration, Mr. Speaker. Nearly half of U.S. households do not have a savings plan. Less than one-third have a cushion to cover basic expenses for just 3 months if a layoff or other emergency leads to loss of income.

The status for retirement savings is even more dire, Mr. Speaker. Remember, one out of every two Americans going to work today doesn't have a retirement plan provided by their employer. We are seeing a new generation of Americans growing up with little or no savings to help them climb the economic ladder or simply weather a difficult time.

Younger workers are trying to save for their children to go to college. They are trying to buy a home or build the emergency fund they will need if their car breaks down. Others are wondering if they can afford to start their own business or have the financial security to leave their job for a better opportunity. Older Americans are looking at retirement and if they will be able to support themselves and maintain a good quality of life without working. We know that savings are the path for middle class families to achieve the American Dream, yet that dream is increasingly being put at risk.

We can turn this around, Mr. Speaker. We can put building a college savings account, a nest egg, and a retirement plan back in reach for millions of American families.

That is why I have put forward a plan of action entitled ''Building Better Savings, Building Brighter Futures.'' You can read my action plan on my website at crowley.house.gov.

This plan is a comprehensive approach to ensure no American who works their whole life will spend their retirement in poverty. But to get to that point, we need to stop wasting time going backwards. So let's allow States and local governments to continue to do what they are doing to help those workers who are being left behind now.

Oppose these two bills that target workers' retirement savings, and let's work towards positive solutions to address the real problems of America's working families. We can do that with my proposal, Building Better Savings, Building Brighter Futures.

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

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

This has been a good discussion, but I want to reemphasize that there is a need in this country. People are insecure about their retirement. There are too many people—millions of people across the country—who do not have retirement savings. So, today, my colleagues aren't coming here and saying: We have a plan; let's help these people save for retirement.

Instead, they are going to make it harder for States and municipalities who are stepping up to fill this critical need.

Mr. Speaker, I urge my colleagues to stand with workers who deserve a chance at saving for retirement and who will get that chance because, as with the State bill, now there are several large municipalities stepping up to help.

I urge my colleagues not to undermine the work of those cities and municipalities that are working to enact innovative solutions. Again, these are managed by investment professionals. There are investor protections in these plans. People do not have to participate, but they are hungry for this opportunity. Millions of people across the country are watching.

Where is the solution?

Let's not get in their way. Please join me in opposing H.J. Res. 66 and H.J. Res. 67.

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

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

Mr. Speaker, again, I appreciate the full-throated debate that went on here in the discussion of a most important issue. I am grateful that ERISA was in place for my father, a tool and die maker, a machinist. He didn't have pensions, but he was able to, as a result of making little-by-little allocations to a retirement savings plan, set aside money to make sure that, most specifically, my mother was taken care of—and she was—as a result of protections that were put in place, requirements that were put in place, and a savings plan for retirement outside of any pension. Her basic needs were cared for until the end of her life.

So I certainly resonate with the desire to make sure middle-income, middle class families, and everyone has the opportunity for secure retirement savings. We all support creating new options for retirement savers. Unfortunately, the regulatory loophole created by the Obama administration is not the answer.

Every American, regardless of what city or State they live in, deserves strong protections and secure retirement. That is why, for over 40 years, the Employee Retirement Income Security Act has been the law of the land. Denying those longstanding protections to certain workers is a completely backwards approach that undermines the retirement security of working families, and I know my colleagues on the other side of the aisle don't want that to happen. We agree on that.

I urge my colleagues to vote in favor of H.J. Res. 67 to ensure workers and retirees in every city across the country continue to have the legal safeguards they need to retire with security and peace of mind.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 116, the previous question is ordered on the joint resolution.

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

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

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

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

Ms. BONAMICI. 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 54 minutes p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 4 o'clock and 30 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:

Passage of H.J. Res. 67;

Passage of H.J. Res. 66; and

Passage of H.J. Res. 42.

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

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 passage 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 joint resolution.

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

The vote was taken by electronic device, and there were—yeas 234, nays 191, not voting 6, as follows:

[Roll No. 95]

YEAS—234

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 (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
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

NAYS—191

Adams
Aguilar
Barragán
Bass
Beatty
Bera
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
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.
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
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Beyer
Carter (GA)
Kaptur
King (IA)
Mulvaney
Zinke

□ 1653

Mr. AGUILAR, Ms. ROSEN, Messrs. DeSAULNIER and ELLISON changed their vote from ''yea'' to ''nay.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF LABOR RELATING TO SAVINGS ARRANGEMENTS BY STATES FOR NON-GOVERNMENTAL EMPLOYEES

The SPEAKER pro tempore. The unfinished business is the vote on passage 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, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 231, nays 193, not voting 7, as follows:

[Roll No. 96]

YEAS—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
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
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—193

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
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.
Jones
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
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Carter (GA)
Cleaver
King (IA)
Mulvaney
Stewart
Tonko
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1702

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. TONKO. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 96.

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 passage 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 joint resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 236, nays 189, not voting 6, as follows:

[Roll No. 97]

YEAS—236

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 (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
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
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
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
Lieu, Ted
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
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Carter (GA)
Lewis (GA)
Mulvaney
Palazzo
Stewart
Zinke

□ 1710

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CARTER of Georgia. Mr. Speaker, on Wednesday, February 15, 2017, I was absent due to personal reasons and missed votes. Had I been present, I would have voted as follows: Rollcall No. 93 on Ordering the Previous Question, "aye"; Rollcall No. 94 Adoption of the Combined Rule of H.J. Res. 43 and H.J. Res. 69, "aye"; Rollcall No. 95 passage of H.J. Res. 67, "aye"; Rollcall No. 96 passage of H.J. Res. 66, "aye"; and Rollcall No. 97 passage of H.J. Res. 42, "aye".

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 15, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 15, 2017, at 3:59 p.m.:

That the Senate agreed to without amendment H.J. Res. 40.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

APPOINTMENT OF MEMBERS TO THE HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 2 U.S.C. 501(b), and the order of the House of January 3, 2017, of the following Members to the House Commission on Congressional Mailing Standards:

Mrs. DAVIS, California
Mr. SHERMAN, California
Mr. MCEACHIN, Virginia

□ 1715

EYES IN THE SKY: FLIGHT ATTENDANT SAVES VICTIM OF TRAFFICKING

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

Mr. POE of Texas. Mr. Speaker, on a recent flight, flight attendant Shelia Fedrick of Alaska Airlines noticed a young girl, 14 or 15 years old, with blonde hair. Shelia approached two individuals, but the young girl refused to speak or make contact with her. The man next to the girl was defensive as she tried to make conversation.

Something was just not right. Shelia quickly devised a plan. She convinced the girl to go to the bathroom where Shelia had left a note stuck to the mirror. The girl wrote back on the note, and she needed help.

The flight crew quickly alerted the police on the ground. Shelia Fedrick ended up saving a victim of human trafficking.

Traffickers often ship their victims across the country like baggage. The Department of Homeland Security and flight attendants are working together through training to spot warning signs of modern-day slavery.

Thanks to Shelia Fedrick and other flight attendants for their work in rescuing victims of trafficking. We must continue to stop traffickers in their tracks.

And that is just the way it is.

OUR NATIONAL SECURITY

(Mrs. DEMINGS asked and was given permission to address the House for 1 minute.)

Mrs. DEMINGS. Mr. Speaker, I rise today to speak on an issue that is of critical importance to every person in this room, every father, mother, every family in our Nation. That issue is our national security.

While the resignation of General Flynn was appropriate, it has led to more questions than answers. One of the most important, who directed General Flynn to do what he did?

In my 27 years as a law enforcement officer, I have conducted both internal and criminal investigations at the highest level of law enforcement. I understand the importance of seeking the truth through such investigations.

In a time of confusion and uncertainty, the American people deserve answers and transparency. That can only come through a thorough, bipartisan, independent investigation.

Mr. Speaker, I urge my Republican colleagues to join me in calling for a thorough investigation. I know they understand the gravity of this issue and believe it is our duty to work together to keep our Nation safe.

OUR NATION'S INFRASTRUCTURE

(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, California has been blessed with a lot of rain this year, a lot of snowfall in order to alleviate a drought. It has gone a little extreme here, but we are still thankful for the water.

I would like to report that Lake Oroville is stable right now with the dam, and the spillway situation is such that they are working very hard to make sure that that will be something, if we get continued rainfall, we will be able to handle the new load.

I also want to commend and thank President Trump for his very rapid reaction to our request for emergency help from the Federal Government on Oroville Dam. His team responded very quickly to our ask, and he understands and is working for infrastructure needs and repairs across this whole country.

He also understands that it isn't just about building new things, but it is going back and repairing our aging infrastructure, whether that is our highways, our bridges, or what needs to be done, like on Oroville Dam spillway. So I appreciate that.

Again, my full thanks to President Trump's staff, as well as the President himself, on his speedy response to our need.

HUMAN RIGHTS, DEMOCRACY, AND THE RULE OF LAW IN CAMBODIA

(Mr. LOWENTHAL asked and was given permission to address the House

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

Mr. LOWENTHAL. Mr. Speaker, last week, Congressman STEVE CHABOT and I, as the co-chairs of the Cambodia Caucus, called upon Secretary Tillerson and the administration to prioritize human rights, democracy, and the rule of law in Cambodia.

Just days later, Sam Rainsy, the leader of the opposition party in Cambodia, resigned in the face of a proposed bill that would dissolve the opposition party if he continued to lead the party.

This law on political parties would give the government far-reaching powers to suspend political parties at will. I urge the Cambodian National Assembly to set aside this undemocratic law that dangerously moves Cambodia toward being a one-party state, and to allow the Cambodian people to freely choose their own leaders.

ONLY CONGRESS HAS THE POWER TO DECLARE WAR

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

Mr. DEFAZIO. Mr. Speaker, I have just seen a news report that the President may invade Syria with ground troops.

Now, I criticized former President Obama for his actions in Libya, Iraq, and Syria, without seeking authorization from Congress, and leaning on the weak need that these were somehow authorized back in the AUMF after 9/11. This is far beyond the scope of that resolution, which I helped write, so to have a ground invasion of Syria, without authorization from Congress, will trigger the War Powers Act.

Let's be clear: The Constitution says, once we are at war, the President runs the war as Commander in Chief. But it is only the United States Congress that has the power to declare war, authorize war, which this essentially would be.

So the President must come to the Congress and ask for a new Authorization for Use of Military Force before launching any ground invasion of Syria.

SEATTLE'S DIVESTMENT FROM WELLS FARGO

(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, I want to congratulate my hometown, the city of Seattle, on its historic decision to terminate its $3 billion relationship with Wells Fargo Bank over its financing and support of the Dakota Access pipeline.

Last week, the Seattle City Council voted unanimously to divest from Wells Fargo, making it the first major city to do so.

Led by Native American and environmental activists, our city made an important statement about the vision that we have for our community and for our world. That vision centralizes both the rights of our native brothers and sisters, and our environment.

Just like it did with the $15 minimum wage, Seattle continues to be a leader and a model for the rest of the country, and activists and cities around the United States have picked up the torch.

We stand united in prioritizing our environment, as it is deeply connected to the health of our communities. Rather than allowing dangerous pipeline projects to continue, putting millions of people at risk, we should be focused on being leaders in the international fight against climate change.

I am committed, Mr. Speaker, to taking every opportunity to protect our resources and fight for a bold alternative energy plan that includes a just transition that creates great union jobs and puts us on a sustainable path forward.

IN RECOGNITION OF THE HONORABLE JOHN MERCER LANGSTON

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

Mr. MCEACHIN. Mr. Speaker, I rise today in recognition of the Honorable John Mercer Langston, who served in the 51st Congress as the first African-American Congressman from Virginia and, incidentally, represented the same district that I do, Virginia's Fourth.

Representative Langston became the fifth African-American man to graduate from the Oberlin Collegiate Department, and continued his education at Oberlin to receive a master's degree in theology.

Although he was deprived of admission to law school, Mr. Langston studied law under Philemon Bliss and passed the bar in 1844 to become Ohio's first African-American lawyer.

Mr. Langston's passion to uplift the Black community was demonstrated through the organization of State and local antislavery societies, his efforts to assist runaway slaves, and through calls for social reform.

Among his many other life accomplishments, Langston also served as the president of what is now known as Virginia State University.

I have great respect and appreciation for Mr. Langston and the life he led. Not only will his legacy live on through his descendants, but through myself and all of us who occupy this great hall who fight for the spirit of equality and justice.

RUSSIAN INFILTRATION

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, it is literally every day now that something new and even more shocking comes out about the Trump administration and its connections with the Russian Government. Just last night, it was reported that, according to American intelligence officials, at least four members of the Trump campaign, senior members, were in constant contact with Russian intelligence officials for a year.

Mr. Speaker, this is not so much about Republican or Democrat as it is about democracy, our democracy. I want to thank those few Republicans in the Senate who have had the courage to put country before party and come forward and demand an independent, bipartisan investigation. Sadly, that has been met with silence on the Republican side of the aisle in this House.

We must have a 9/11-like commission to investigate to what extent Russian intelligence infiltrated our election.

MUSLIM AND REFUGEE BAN

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

Mr. PAYNE. Mr. Speaker, I want to read a letter from a Syrian refugee to the interfaith coalition sponsoring his family, which settled in Bloomfield, New Jersey, last month.

Muhammad is a father of four. His family was one of the last to arrive prior to the signing of President Trump's ban.

Muhammad wrote:

> I feel ashamed when I repeat the words: Thank you.
>
> I feel it's very few and very weak in front of your interest and your generosity.
>
> The first thing I want to learn in the English language is how I can thank you more and more.
>
> America is beautiful because you live in it.

These are the kind of families the Trump administration wants to turn away. They are the oppressed and the persecuted, the kind of people this country was founded for.

I understand the need to vet people coming to our country, and the importance of protecting our Nation's security. No one questions that at all.

But we cannot close our country to refugees like Muhammad and his family. We cannot sacrifice what it means to be American.

Muhammad is right, America is beautiful, and we can keep it that way by remaining a beacon of freedom and hope.

APPOINTMENT OF MEMBER TO BRITISH-AMERICAN INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore (Mr. BERGMAN). The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 276l, and the order of the House of January 3, 2017, of the following Member on the part of the House to the British-American Interparliamentary Group:

Mr. RODNEY DAVIS, Illinois

□ 1730

THE BLUE COLLAR CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. VEASEY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. VEASEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. VEASEY. Mr. Speaker, we are going to talk today about something very important: our economy, jobs, and the state of America in regards to those subject matters.

Mr. Speaker, I yield to the gentleman from the State of South Carolina (Mr. CLYBURN), who is a good friend of mine, our colleague, and our assistant leader, to come address us on a very important issue that relates to many of those things that we talk about.

I would like to invite Leader Clyburn to come and talk to today. I really appreciate his coming and taking the time to be part of this hour.

Mr. CLYBURN. Mr. Speaker, I thank my friend, Congressman VEASEY, from the great State of Texas.

Mr. Speaker, I rise today as part of the observation of Black History Month to continue my series of remarks recognizing HBCUs, Historically Black Colleges and Universities. I ask my colleagues to join me in celebrating Benedict College in Columbia, South Carolina.

Founded in 1870, just 5 years after the end of the Civil War, by the American Baptist Home Mission Society, Benedict was originally named Benedict Institute, after Stephen and Bathsheba Benedict of Rhode Island, Baptist abolitionists who had donated the funds to acquire the property on which the campus sits. Formerly the site of a pre-Civil War plantation, the first classes were held in a dilapidated mansion on the grounds. Benedict Institute was formerly chartered by the South Carolina General Assembly in 1894 and renamed Benedict College.

From its founding through 1930, Benedict was led by northern White Baptist ministers. In 1930, Reverend John Starks, an alumnus of Benedict, became the school's first African-American president. The heart of its campus has been designated the Benedict College Historic District, consisting of Morgan Hall, Pratt Hall, Duckett Hall, Antisdel Chapel, and Starks Center.

Like Allen University, its neighbor, Benedict College has a long legacy of activism for civil rights and social justice. One of the very first civil rights campaigns in South Carolina was organized at Benedict College in 1937. Students participating in a national NAACP campaign led a demonstration in support of antilynching legislation pending in Congress.

One of Benedict's early graduates was Reverend Richard Carroll. Born into slavery in Barnwell, South Carolina, Reverend Carroll was a prominent Baptist minister in the late 1800s who received honors and appointments from both President William McKinley and President Theodore Roosevelt. Other prominent alumni include Modjeska Simkins, a prominent civil rights and public health champion; General Matthew Zimmerman, who served as Chief of Chaplains of the United States Army; and I.S. Leevy Johnson, the first African-American president of the South Carolina State Bar Association.

In the modern era, under the leadership of President David Swinton, Benedict has grown to a student body of more than 2,800 undergraduate students. In 1995, Swinton revived the football program and marching band 30 years after they had been shut down. He also championed a new sports complex on Two Notch Road in Columbia, which includes a football stadium, tennis courts, baseball fields, and fitness facilities. The liberal arts curriculum now offers degrees in 30 different disciplines. President Swinton also has led the efforts to preserve and restore many of the historic buildings on the campus, in part paid for with Federal funds from the HBCU Historic Preservation Program that we in this Congress have championed.

President Swinton will retire this summer after 23 years of service to the institution. I wish him well and thank him for his leadership.

Today, on the same land where Blacks once toiled in slavery, their descendants are now learning the tools they need to live up to Benedict College's motto: to be powers for good. Like so many HBCUs, Benedict offers a unique religious experience in which students from many different backgrounds share a common struggle for equality, and I am pleased to recognize them today.

Mr. VEASEY. Mr. Speaker, I want to thank the leader for his comments and for participating tonight. I really appreciate his words and that recognition.

I want to thank everyone that is with us today to talk about our Blue Collar Caucus and jobs in this country. I think that there is nothing more important to any individual—any man or woman—than the ability to be able to have a good job, to take care of your family, and to be able to be a part of the American economy and to contribute to that economy.

I want to start off talking about President Barack Obama. Under President Barack Obama, the American economy added 9.3 million jobs and overcame one of the worst economic crises our Nation has ever seen.

In Arlington, Texas, which is part of the district that I represent in the Dallas/Fort Worth area, we have a General Motors plant. As you know, we could have lost our car industry. We have probably the most profitable plant in the General Motors family. All of the cars that you see around here at the Capitol, all of the Yukons, all of the Suburbans, the Tahoes, the Escalades, we make those in Arlington, Texas. We are very proud of our plant, very proud of the company being there all those years and for the UAW workers there that help make that plant great.

Despite the gains that we have seen with President Obama's saving the auto industry with the 9.3 million jobs and our overcoming one of the worst economic crises, again, that our country has ever seen, many workers across the U.S. felt that the economic recovery had left them behind. The rise of automation and outsourcing pushed many of those workers out of jobs that they absolutely loved. The frustration felt by these workers is understandable. Everyone—everyone—wants a good job that lets them, for their family, be able to take care of themselves, be able to pay their bills, send their kids to college, and buy a car.

President Trump appealed to many blue-collar workers during his campaign with a populist message and pledges to help working America, but his actions since taking office directly contradict so many of his promises. President Trump is playing one of the slickest political scams we have ever seen on hardworking American families. It is a scam. It is not real.

On his first day in office, President Trump signed an executive order that raised mortgage rates for new homeowners. Those same people that live in those Rust Belt States are those same individuals that were Democrats that went on television and went on social media and said they were going to give this guy a chance. What does he do on the very first day? We are going to raise interest rates on new homeowners, people trying to live the American Dream. There is nothing more that embodies the American Dream than being able to buy that first home. It was a slap in the face to those blue-collar workers and a boost to Wall Street.

President Trump also signed an executive order that made it easier for Wall Street bankers to make money on risky bets. His Labor and his Treasury Cabinet nominees both have track records that are very unfriendly to the middle class and have no understanding what middle class workers face.

It is clear that President Trump does not have a plan to fight for the working man and woman as he promised on the campaign trail. That is why my colleagues and I—BRENDAN BOYLE who is here with me from the State of Pennsylvania, we formed the Blue Collar Caucus to address challenges facing

blue-collar workers in today's economy. We are going to stand up to the Trump administration when he turns his back on working class America.

Our mission is to listen directly to middle class America's concerns and translate their needs into policies that allow them to adapt to the changing job market. We have to be able to equip our blue-collar workers with training that leads to jobs and opportunities. We just can't say ''job training.'' Those training opportunities have to lead to something of substance, which is a real job with a paycheck and some benefits.

This year alone, the U.S. is expected to add 2.5 million middle-skill jobs, the majority of which employers are telling me—and they have been to my office, and Mr. BOYLE has probably heard the same thing. They are saying that these jobs are hard to fill. The Blue Collar Caucus is going to prioritize training and retraining initiatives to provide real opportunity and security to working class Americans.

I have a lot more to say, but I do want to turn it over to BRENDAN BOYLE from Pennsylvania, my good friend, who also has the same passion to represent and really stand up for working class America, for blue-collar America—not just promise them things, not just get them pumped up with a bunch of hype, but to really talk about real policy initiatives that will help them be able to put some food on the table, put some money in the bank, be able to buy that first house and buy that car that they always wanted. I thank the gentleman very much for his dedication to blue-collar America.

Mr. BRENDAN F. BOYLE of Pennsylvania. I am very excited to be joined in this effort with the gentleman.

Mr. Speaker, this comes out of a number of conversations that my colleague, MARC VEASEY, and I have had just in the back of this Chamber about both of our experiences growing up, which are very similar, coming from working class or blue-collar parents who worked very hard to make sure that their children had opportunities that they may not have had. In many ways, that is the American experience: people who work hard, play by the rules, pay taxes, raise their kids, and hope that their kids will have opportunities that they didn't have. That is what built the American middle class.

What is so difficult about the time in which we are living is that it is not just about an economic growth that is 2 percent; it is not just about the statistics that we often cite on this House floor. It is about a loss of hope in the power of the American Dream.

There was a statistic that came out—having just said it is not about statistics, let me cite one—that I think is, in fact, very telling and really shocking. Ninety-two percent of the World War II generation went on to earn more than their parents did. For the generation of which I am a part and MARC is a part, taken at exactly the same point in life, that figure is exactly one-half—46 percent.

Consider another statistic. Compared to the year 2000, in inflation-adjusted figures, the middle class has less wealth today than at that point 16, 17 years ago. That is the only decade-and-a-half that you can look at in American history in which the middle class is worse off than the decade-and-a-half that preceded it.

So while these are presented as just ''economic issues,'' really, they are much more than that. They strike at the very heart of who we are as Americans and what we stand for. So we are going to be talking, as part of this caucus and over the next close to an hour or so and for many weeks and months to come, about what we can do specifically for the blue-collar economy, for those who work with their hands and for those who have been, in many ways, held back because of transitions that our economy has faced.

I have many things that I want to talk about as part of that, but I don't want to go on too long because we have been joined by someone who doesn't just talk the talk, but has walked the walk, a union worker himself, an ironworker, I believe, a good friend of mine from Massachusetts, and someone who works hard himself both in his previous occupation and now standing up and fighting for working people.

Mr. VEASEY. Mr. Speaker, I yield to the gentleman from the State of Massachusetts (Mr. LYNCH).

□ 1745

Mr. LYNCH. It is wonderful to join Mr. BOYLE and Mr. VEASEY from Texas. I thank them for creating the Blue Collar Caucus. I think the time is perfect for the challenges that we face as a country, and I think also, as a Democrat, embracing some of our tradition. I think, in some cases, we have drifted from that.

I do want to talk about the blue-collar economy and what is happening to people who work in the building trades and work as truck drivers and nurses and people who are really the backbone of this country.

As BRENDAN mentioned, I was an ironworker for about 20 years. I know what it is when you are trying to work from paycheck to paycheck, strapping on a pair of work boots every single day.

I also want to focus tonight on one part of Mr. Trump's executive orders and policies that have really hurt people in our demographic: regular working people. I want to speak specifically about veterans.

As most people heard, President Trump, when he came into office, initiated what was called a Federal worker hiring freeze, stopping any workers from going to work for the Federal Government. I just want to remind people out there that about 30 percent of those workers are veterans. So 30 percent of the people who go to work for the Federal Government are veterans. By putting a freeze on Federal workers, you are blocking almost one-third of workers who are veterans who would be trying to go to work.

The Federal Government is expansive. That includes workers at the VA; it includes workers at the FAA; it includes workers at the Defense Department, the State Department; on and on and on. So this is really freezing out veterans from going to work.

I had a young veteran in my office the other day who had some skills in radiology. He learned that through his military service in the Navy, but also when he got out, with the GI bill, and trying to go to work at the VA. I had to explain to him that President Trump, when he came into office, put a hiring freeze on, and that we were going to have to try to figure out another way to put him to work.

Well, that case is playing out over 50 States, and thousands—probably tens of thousands right now—of veterans are being denied the opportunity to go to work for the Federal Government. Many of them have skills that are necessary.

We have people retiring and leaving Federal employment on a daily basis. We have nurses that are retiring at the VA and folks that work for the EPA are leaving at the end of their working lives. They are retiring. Yet, we are blocking these veterans from filling those positions because of the President's hiring freeze.

Seeing that, I actually drafted a bill that I am happy to share. It is H.R. 1001. It will basically create an exception. It will keep the President's freeze in place, except for veterans coming back from Iraq and Afghanistan, veterans who have served in previous conflicts. Anyone who has put on this country's uniform as a veteran would be exempt from the hiring freeze so that we can do the right thing.

Each and every one of these young men and women—and there are a lot of women—I have been to Iraq 17 times now; Afghanistan, about 9 times; and I am amazed at the number of young women who serve our country in uniform.

I already have, including my colleagues here, 23 Democrats who have signed on. I would love to get some of my Republican friends on this bill. This should not be a partisan issue, trying to put veterans to work. I am sure we have got some good Democrats and Republicans out there that agree on this, and this should be a bipartisan issue. We can stop the—let's be hopeful it was unintended consequences of the hiring freeze. We can stop this by coming together. Sign onto H.R. 1001.

Again, I thank my colleagues for their advocacy on behalf of workers.

I notice today that the President's nominee for Labor Secretary, Mr. Puzder, who had a very bad record with workers, withdrew his nomination. He has withdrawn from consideration. I think it is because of the hard work that Mr. VEASEY and Mr. BOYLE have done in speaking out on behalf of American workers and pointing out the

bad decisions and the wage and garnishment issues that Mr. Puzder had. I just think that their advocacy helped enormously in having him withdraw that nomination.

I thank my colleagues again for the great work that they do on behalf of all American workers, and I appreciate their service to the country.

Mr. VEASEY. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. We are planning, actually, to talk about someone who was, quite frankly, the worst Labor Secretary nominee in our Nation's history; literally putting the fox in charge of the henhouse. You can tell I am from the city because I botched that metaphor, but maybe MARC will be able to help me with that.

To put someone in charge of the Labor Department who had a complete history of ripping off fast food workers, paying in some places, in some Hardy's, below minimum wage because they were falsely classifying workers, I can't think of really someone who, in many ways, epitomized the kind of greed that we see in our economy today than the former Labor Secretary nominee.

That actually works to a point that I wanted to raise. I think it is a big part of what has been happening in our American economy today.

In the post-World War II era, for roughly three decades we had large gains in productivity and large gains in wage growth. That is from roughly the mid-1940s to about the late 1970s. You saw workers becoming more productive, working harder and smarter and better than ever, and you saw wages growing to almost exactly the same percentage: 97 percent increase in productivity, 91 percent increase in wage growth.

But then, over the last 30 years, something quite different has happened. The productivity growth has continued. The American worker is more productive than at any point in our Nation's history and is the most productive workforce in the world. That is not boasting; that is an economic fact.

Yet, since the 1970s, wages have barely gone up at all. Those are the averages. That doesn't account for the fact that when you are talking about the blue-collar economy, when you are talking about those who don't have a higher education, when you control for just that group, wages are actually lower today than they were 30, 40 years ago.

Now you might wonder: Well, how are CEOs doing? Have they shared in the pain?

Well, 50 years ago, CEOs made 20 times what typical workers make. As of 2013, they make just under 300 times a typical worker's pay—from making 20 times more than your average worker to more than 300 times your average worker.

I believe in capitalism and I believe in the market, but clearly something is deeply wrong in our economy, the structure of it, when we have that sort of situation, when workers are not being rewarded for their hard work.

I recall my colleague, Mr. VEASEY, talking a little bit about his family experience and the similarities to my own and the fact that blue-collar workers like our parents actually have fewer opportunities in America today than they did when we were growing up: fewer job opportunities for lower wages and not as rich benefits. I say not as rich benefits, but, actually, very insecure benefits in terms of health care and a lack of a defined pension.

If Mr. VEASEY would possibly talk more about that and other parts of the heart and soul of our Blue Collar Caucus.

Mr. VEASEY. One of the things I remember growing up in Fort Worth, Texas, was that we were blessed to have several manufacturing facilities that were union shops. We had General Dynamics, which is now Lockheed Martin. When I was growing up, it had about 30,000 employees out there.

We had Bell Helicopter, which is owned by Textron now. There are lots of employees out there. We had Miller Brewing Company, which is still there. Now it is MillerCoors. We had several places, like General Motors, which I think I mentioned a little bit earlier.

So we had several places that had good benefit. I had family members that worked at many of those places. Good benefits, good jobs that people could really be proud of. One of the reasons why we have seen the decline of pay in this country is because of the Republicans and their efforts to undermine labor.

When you start talking about undermining labor and when you turn on these talk radio shows—you turn on The Rush Limbaugh Show, you turn on Mark Levin, you turn on these shows—they are always talking about how bad unions are in this country. But when I think about my own experience growing up in Fort Worth and I think about towns like White Settlement; towns like Benbrook; the community that I grew up in, Stop Six and Como; and I think about the middle class jobs that many of these union shops brought to all communities, again, whether it was the White community, the Hispanic community, or Black, they allowed people to be able to put some food on the table.

I have got to tell you, I was really kind of tickled and shocked at the same time by an article in the opinion section in The Wall Street Journal back on September 3, 2015. It was titled: ''The Shop Steward in the White House.'' It was taking a shot at President Obama for all of the things that he was doing for American workers, and many of the things that the Wall Street guy that wrote the article was complaining about, saying all these things about President Obama, they were all actually really good things that the President was advocating for.

My question and what I want to know and what I want Rust Belt workers and people all around the country to ask: Is this Presidency, is this administration going to embody and really embrace those same principles that were talked about for President Obama when he was really trying to protect these workers? Is this President going to do the same thing? Are his partners in the legislative branch, our colleagues on the other side of the aisle, the Senators on the other side of the Capitol that are Republicans, are they going to also stop going after American wages, stop going after American workers and their benefits, and start standing up for these workers so they can put some more food on the table?

That is what I want to know. Those are the type of questions that we should be asking and we should be talking about.

President Trump can put out a statement on this right now if he wanted to, but obviously he has a lot of other things going on.

The Davis-Bacon Act, as many of us know, is the rule that ensures all Federal contractors are paid a fair wage while they are working on public works projects.

If there was ever a repeal of Davis-Bacon, we would see a decrease in the quality of blue-collar jobs, and we can absolutely not afford that. Stagnating wages, like I talked a little bit about earlier, has left workers unable to care for their families. As a result, one-third of blue-collar families are enrolled in one or more social safety net program.

That is not what blue-collar workers want. They want the ability to be able to take care of their own families. They don't want these social safety net programs. They want to be providers and be proud of their jobs.

The Blue Collar Caucus intends to defend the Davis-Bacon Act and fight any attempts to decrease wages for America's already struggling working class. We know that we can build an economy that works for everybody if we just work together. So work with us as we stand against President Trump's unfulfilled promises and stand up for these blue-collar workers. That is what we want our friends on the other side of the aisle to do.

But what I would really like to see right now, even before President Trump reaches out to, again, his Republican friends in the legislative branch, is for him to come out and make a statement for these blue-collar workers, for these people in the Rust Belt, for these people in the South, for these people in Dallas-Fort Worth, and all over the country. I want him to come out and make a statement on where he stands on Davis-Bacon.

□ 1800

It is one thing to just talk in broad categories about bringing jobs back to

our country, stopping our jobs from going overseas. This is an actual policy that we know has been good for many workers in Mr. BOYLE's district and in mine and, again, everywhere. Where is the President on this issue? Why is he not saying anything about Davis-Bacon? I want to hear what he has to say. I know that Mr. BOYLE knows about just how important things like Davis-Bacon are and other issue areas are.

Another area is the Supreme Court nominee, Mr. Gorsuch. Where is he going to rule when it comes to working families? That is what I want to know. That is the type of thing that I hope that people on the factory floors and shops across this country start talking about is how is this man going to rule? We already know that he has made several bad rulings as it relates to working families, rulings that will directly affect how big their paychecks are, literally has made rulings that have taken money right out of their pockets, right out of their bank accounts. Those are the types of things that we need to be talking about, not all this 35,000-feet-up-in-the-air-type stuff, but actual policy details that we know can impact and hurt families.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, MARC is exactly right. I was so glad that he brought up unions and the important role that they play because when I talked earlier about the fact that for 30, 40 years we had an economy that was working well, that saw productivity gains but also wage gains in roughly equal proportion. And then suddenly in the last 30 years you have seen that change. You have seen the productivity gains continue, but you have seen wage growth at practically zero.

Well, it is not a coincidence that for three, four decades you had strong unions, from the mid-1940s until about the late 1970s or so. They were there fighting for workers, fighting for increased wages, fighting for a secure retirement, fighting for real health benefits.

Then you saw an economy beginning in the early 1980s where the power of unions declined. The number of workers involved in the workforce who were unionized declined. I don't think it is a coincidence that just as you saw the number of workers in unions decline and the number of unions decline and the power of unions decline, you also saw real wages decline. Certainly no coincidence. For 70 years, worker wages and the strength of unions have moved in tandem, going up together or going down together.

Critical to the strength of the American workforce are provisions like Davis-Bacon that have existed since the late 1940s that guarantee a prevailing wage on Federal projects. It helps not just those workers who are unionized. It lifts all workers because when you have a union that is out there fighting for higher wages and fighting for better benefits for its members, it helps all workers. It helps all of those in the workforce.

I talked earlier, and I was thinking about this when MARC was talking about his family's experience in those towns in the Dallas-Fort Worth area. I remember from my own family's experience, we were very lucky that my dad, without a college education, with the equivalent of a high school education, after many years of trying, was able to break in to Teamsters Local 169 as a warehouseman. It simply means he worked in a warehouse for Acme Markets. He did that for 25 years. There were a couple thousand such workers who were employed in the city of Philadelphia.

Then in the late 1990s, around the year 2000, they closed all those warehouses. They laid off close to 2,000 workers. They decided that they would set up shop, instead, in a place where they could pay the workers half the wages, reduced benefits, and not as many workers. Fortunately, things worked okay for my dad. He ended up on his feet. He spent the last 16 years as a worker, as a janitor for SEPTA, the Southeastern Pennsylvania Transportation Authority.

Many of the guys who got laid off in their 50s and 60s weren't as lucky. Many of them never found, again, a job as well paying or as secure. Some of them turned to alcohol. Some of them turned to drugs. A couple even committed suicide. Again, I want to show that these are not just economic issues. Sometimes the elites—and I mean elites not just on the Republican side; elites of all political ideologies—sometimes look at these as just economic issues. They are real-life issues.

When we see the diseases of hopelessness that are happening right now in places like western Pennsylvania or Texas or Kentucky or, really, all parts of our country—and, by the way, White, Black, Hispanic, Asian, what we are talking about touches all races, all ethnicities, all backgrounds—these diseases of hopelessness that have been on the dramatic rise are a real problem for our society, but to look at them as just a drug problem or just an alcohol problem or just a mental health problem and not see the economic link is very naive and incomplete and will never solve the real problem, go to the heart of solving the real problem.

Mr. Speaker, MARC and I both look forward—he had mentioned it to me—to periodically coming to this House floor and talking about this new President's record when it comes to addressing these issues. He talked a lot during the campaign, made a lot of promises. He is great at making promises. In fact, you would probably say he is the best ever at making promises. Well, we are going to be showing his record, to see if he is keeping those promises to the American people.

On some issues, he sounded like a Democrat. On some issues, when it came to infrastructure or trade, he said things that I can agree with and do agree with. Now that he is President, let's see if the record matches the rhetoric. We are going to be here to hold him accountable, to hold both sides accountable because, you know, the fact is this town, for many decades, has not looked out for the blue-collar worker. We are quick to indict the other side where they are wrong, and I think appropriately so.

This Blue Collar Caucus is for all those who really want to make a difference in the blue-collar economy, for those who want to put the American worker first and foremost. I can say President Trump is not off to a great start with some of his Cabinet picks, who look more like the board at Goldman Sachs than any union hall. I hope that this first month will not be a sign of more to come, but whether he is getting an A or an F, we are going to be here to grade his performance on these real-life, meat-and-potato issues that matter to the vast majority of American families.

Mr. Speaker, MARC and I represent two different regions of the country, two different areas, yet, in many ways, exactly the same kind of folks. I wanted to know what MARC is hearing as he goes out into his community in Fort Worth about how things are going for American workers and what they want from this administration.

Mr. VEASEY. Absolutely. When I am back in the district in the Dallas-Fort Worth area—and Dallas and Fort Worth are the two most recognizable cities that I represent in the district, but there are other cities. We have Irving that is there, we have Grand Prairie, we have Arlington where the Cowboys stadium is located, and a lot of people are asking: When are we going to get these good jobs back? We want to see some of these good jobs come back. I have got to tell you, the President made a lot of promises when he was on the campaign trail about bringing some of these jobs back, and I want to see those jobs come back, too.

I think that with everything going on right now, with the resignation of General Flynn and there being so much talk about campaign operatives on the Trump campaign talking to Russian intelligence officials, I think that he is going to be too distracted to help these workers. I think that Republicans are going to be too distracted to help these workers in the Rust Belt, to help these middle class, these blue-collar workers.

I have got to tell you, during our retreat last week while we were in Baltimore, I opened up The Wall Street Journal first thing in the morning. I saw this article about how—and it was about jobs still pouring in to Mexico, and it was really one of the saddest things that I ever read. For some manufacturers, Mexico is still the best move. They specifically were talking about a corporation called the Rexnord Corporation.

It really broke my heart when I was reading the articles about how they were asking the workers at this plant

in America, in our country, to actually train individuals from foreign countries to replace them. They wanted them to train them for the jobs that they currently had here in our country and asking them to, you know, train these people so we can ship your job out of the country and you can be replaced. How demoralizing to go to work knowing that you are training someone next to you for your job to be sent overseas or sent out of the country, your livelihood, everything that you have known. For a lot of these little, small towns, these companies really are the face of the town.

In Texas, and I am sure it is like this in Indiana and in other parts of the Rust Belt and other parts of blue-collar America, Friday night football is a really big deal, maybe the local high school basketball game is a really big deal, but also that ranks right up there with both of those two athletic activities in these towns, their identity is driven by their job. I thought that was such a sad commentary about where we are now.

Again, with all of the executive orders, when you start talking about the travel ban on citizens from Muslim countries, when you start talking about the executive order to raise interest rates on first-time homeowners, no executive orders whatsoever to protect the American worker. We are a month into the administration. No executive order, no action, no comments on Davis-Bacon, nothing to reinforce the fact that we are with these guys, and it is really sad.

I am sure that these workers out there, in America, in New Jersey, in other States, I bet you they are sitting back watching, saying: How in the world is this President going to help us with all of the distractions that are going on over there? When is he going to help us? He has done all these other things with the executive order, why not do something for the American worker?

Mr. BRENDAN F. BOYLE of Pennsylvania. We have been joined by DONALD NORCROSS, our colleague within the Democratic Caucus and here in the House, and my neighbor from just the other side of the Delaware River. MARC brought up football a couple times. Yes, he is a diehard Cowboys fan. Well, as a Philadelphia Eagles fan, I am glad to have been joined by another Eagles fan, someone much like STEPHEN LYNCH, someone who doesn't just talk the talk but has walked the walk, who has worked with his hands and is someone who brings great credibility to these issues, as someone who himself was out as a blue-collar worker every day and now gets the chance to fight for them here on the House floor where that fight is badly needed.

Mr. VEASEY. Mr. Speaker, I yield to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, I thank BRENDAN—Representative BOYLE—and MARC for putting together a Blue Collar Caucus just to remind ourselves what we should be doing here is focusing on jobs. Jobs, which is the best social program I have ever been with.

I entered my professional life as an electrician, as an electrical apprentice. I went through the other 4 years of school. It was called an apprenticeship. I worked on bridges, refineries, pipelines throughout the Delaware Valley. I understood how tough it is sometimes for people to make it. When work got slow, we got laid off. We collected unemployment. Those are the struggles that men and women in our great country are going through each and every day. If anything, this last election cycle reminded us of that, that sometimes the dignity of being able to take care of your family, send your kids to school, and retire with dignity is the most important thing we can do.

□ 1815

I have seen firsthand what happens with minimum wage. They tend to think it is all a bunch of kids flipping hamburgers. Well, it is much more than that. It is a woman I spoke to, who had a child 8 years old, who had to work two jobs just to make sure that in the winter, when her daughter needed a coat for winter, that she could take care of her. And she recalled to us how badly she felt that her daughter's teacher for PTA wanted her to come in and help. She had to decide whether or not to keep food on her table or participate in her child's school. That is a tough decision when we both want to help.

When we look at what we have done as a country, as compared to elsewhere in the world, it is very different when we look at the blue collar, particularly in the building trades where I came from. Throughout Europe, particularly in Switzerland and Germany, they look at working with your hands with just the same dignity as going through college. This country doesn't always do that. Guidance counselors tend to push them into college as the only measurement.

College isn't for everybody. I have three brothers. They went the traditional college route. I decided I really enjoyed working with my hands. I went and became an electrician. Those jobs, we are on over 20 years ago, I still talk to my kids about it today—the dignity of working with your hands.

This country is starting to change, particularly when you need an electrician. When Mr. BOYLE's lights in his house go out, who does he call? That electrician is worth his weight in gold, isn't he?

And I know Mr. BOYLE's story. His parents came over here as first generation and are living the American Dream. They have to be so proud of him.

And in Mr. VEASEY's district, those refineries are important for jobs, as they are in mine. I think we absolutely have to keep the focus on making sure that we have renewables, that we have clean energy. But we also understand with each of those decisions comes whether or not somebody is going to be able to go home and say: Honey, I lost my job today.

Today was a remarkable day—the first withdrawal of a nominee for the Department of Labor. And I guess this is where, during the election cycle, I see the difference.

It is very clear that the President wanted to talk about jobs, good jobs, putting America back to work. And then we have the secretary nominee put up—who talks about minimum wage is a bad thing, talks about robots are things you don't have argument with. He wants to outsource. That is not the way to rebuild the economy.

Mr. BOYLE talked about the discrepancy between those who work for a living, the average worker on the line, and those who are the CEOs. When I grew up, there was an implied partnership with so many of those companies. Those who went to work in a first-generation company, that CEO knew every employee's name. But time after time, when that company gets sold, that disconnect comes in. They forget about that. And that is where those relationships, that partnership that is so important, starts to break down.

We had a conversation in our Education and the Workforce Committee the other day about the NLRB, which is the group from the Department of Labor that judges whether or not elections with unions are done fairly. There was a suggestion somehow that they are not being treated fairly. It couldn't be any further from the truth. If workers want to have a voice, they should have that voice and choose whether or not they want to join with the union. That is the American way—that democracy. Yet, the nominee for Labor wanted to do away with the NLRB. In fact, when we look at the total case history, it is like putting the fox in charge of the henhouse, unless, of course, you own the henhouse, and then it is okay.

I want to finish up by saying to Mr. VEASEY and Mr. BOYLE how appreciative I am of keeping this focus on the forefront of what we do here in Congress. I created a Building Trades Caucus, along with a colleague, Mr. MCKINLEY, out of West Virginia. We could try to move this forward, create an infrastructure package that puts America back to work and keeps our roads, our bridges, and our grid safe.

Let's remember one thing: a fair day's pay for a fair day's work and the dignity of a job. I appreciate what you have done.

Mr. VEASEY. Mr. Speaker, I thank the gentleman from New Jersey (Mr. NORCROSS). I really appreciate his heartfelt words. I thank him for telling us about his journey, employment, and how much electricians mean to this country, and other people that work with their hands.

I think it is sad that in a lot of our public schools that type of work has

been—quite frankly, there is no other way to say it—some of it has been put down. But those workers are important. We need to stop having people rank jobs and make sure that we know that all jobs in this country are important.

Since 2000, the United States has lost about 4.8 million manufacturing jobs. That is a 29 percent decrease in jobs for blue-collar workers. Again, manufacturing jobs are good-paying jobs. Manufacturing jobs pay about 20 percent higher than service jobs do. So any manufacturing job that we lose in this country is bad.

One of the saddest stories—and there are so many sad stories about these plants that have closed down, and so much of the focus has been on the Rust Belt, and rightfully so. And MARCY KAPTUR may tell me if I am pronouncing the name of this city correctly. But there is a story about the closing of a Rubbermaid facility in a place called Wooster, W-O-O-S-T-E-R. They said that they were shutting down this Rubbermaid facility in Wooster, Ohio, but they were going to keep the big outlet mall open. And I thought to myself: How in the world can people afford to go to the outlet mall, or any shop, if the jobs are gone? It is just another sad story about how America is losing manufacturing jobs.

Luckily, we have people like the gentlewoman from Ohio (Ms. KAPTUR), who fights for her State and fights for manufacturing jobs, and not just in her State, but for the entire country.

Mr. Speaker, I thank Ms. KAPTUR for her dedication to the working class men and women in this country and for all blue-collar workers.

Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from Texas (Mr. VEASEY) for his great leadership in bringing us together in this Blue Collar Caucus. I feel very comfortable. I actually have blue on today.

I thank the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) of the greater Philadelphia area, the gentleman from New Jersey (Mr. NORCROSS), and myself from the Toledo to Cleveland, Ohio, part of our country to bring to the attention of the American people the fact, for example, that workers in northern Ohio, since the year 2000, earn on average $7,000 less than they did at the beginning of the century. They have taken some great hits. They are hardworking people. They are fighting back, but they need our help.

In the last 3 weeks, if we take a look at President Trump's term thus far, we begin to see the real Donald at work, if I might quote one of the news media. After months of grandiose campaign promises to renegotiate NAFTA, bring back American manufacturing jobs, and make America great, we can begin to assess where he is putting his attention. I think this is really important for us, as we represent blue-collar America, what is he doing for them. I think the proof is in his actions, or lack thereof.

After roughly 20 executive orders and actions, we see President Trump has a penchant for mediagenic events and moments with a hodgepodge of executive orders, but apparently not sending any legislation up here yet. And most striking is his clear motivation to assist his wealthy friends on Wall Street with appointments to the administration, such as Secretary of Treasury, rather than paying attention to average Americans who voted for him. He exhibits a great penchant for public approval rather than a focus on efforts to improve the current economic stagnation of average Americans.

We are noting that he is filled his Cabinet with billionaires and multimillionaires who simply can't figure out how to walk in the shoes of blue-collar America. His actions to help the wealthiest Americans will have significant consequences.

So what happened with his promise to drain the swamp?

I thought in the first month we would have had something that would really resonate out in the heartland.

While all of this happens just miles away at the White House, our Republican congressional colleagues remain either silent or moving the car in reverse.

Why would they criticize activity that helps those who fund their elections?

We need campaign finance reform to dominate their political focus and write their policy objectives, like taking away today here in the House the ability of workers to save money for their own pensions, for heaven's sake.

In Trump's first days, he took action to roll back the financial reform bill called Dodd-Frank and tried to eliminate protections for seniors as they seek retirement investment advice. We know there are a lot of sharks out there in the financial waters.

Why wouldn't you want to help the American people rather than hurt them more?

He did nothing to address the trade issues, which were in his power to do on day one, and propelled his victory through our part of the country. I note my colleagues come from Texas, Pennsylvania, New Jersey, and me being from Ohio. It was actually the Midwestern States that lifted this President to victory. He hasn't declared China as a currency manipulator. He could have done that already.

He had no elimination of the Buy America waiver, which affords access to U.S. Government contracts for all firms and goods from 45 World Trade Organization nations and 16 additional U.S. Free Trade Agreements that exist. Not a word about that.

No NAFTA renegotiation. He could have pulled the plug on that on day one. Nothing.

Where is the negotiating team in place to take care of what NAFTA has done to the people of the heartland and our country in general?

What will President Trump do for ongoing negotiations he inherited on the U.S.-China Bilateral Investment Treaty, the Trade in Services Agreement, the Transatlantic Trade and Investment Partnership? Will he put American workers, global workers, and environmental concerns at the forefront of negotiations? Or will he continue to allow corporate and wealthy financial interests to dominate and run roughshod over workers and communities?

Candidate Trump promised the 15,000 steelworkers laid off due to a flood of unfairly traded imports that he would support America's manufacturing and industrial base. He came to Ohio and said that. He promised to protect our industries from the Chinese and to keep jobs at home. But in the pipeline of executive action, he actually enforced the trade agreement Buy America waiver, negating his promises to help America's steelworkers. How about that? That was done in the first month.

Just recently, the U.S. Department of Commerce released a report that showed the U.S. trade deficit hit a 4-year high as it rose to over half a billion dollars for 2016. Middle America isn't surprised this trade deficit continues to hollow out U.S. manufacturing jobs and depress incomes across our great Nation. Reducing our trade deficit should be a top priority for the new administration. I hope the President puts a big scoreboard in front of the White House on his progress on this front. It would do wonders to fix the economy for working Americans if we balanced that trade deficit.

As Congressman VEASEY has said, the Democratic Party has long championed issues for blue-collar America that create real life success for working class people. Lost in the political dialogue is the reality that Democrats have always stood for individual and economic rights for average Americans of all backgrounds. Each of us in our own lives represents that, and it is a privilege to serve here in this House.

For blue-collar families, education remains a vital stepping-stone in upward mobility. Democrats continue to prioritize early childhood literacy and STEM education, efforts to make Americans globally competitive in advanced manufacturing, science, medicine, and research and development. Democrats continue to expand apprenticeship options to allow young people to enter the workforce trained and without the enormous burden of student loans.

Meanwhile, Republicans push policies that exacerbate the ever-expanding wealth gap, even allowing it to invade our school systems. Just watch the opposition Mr. Trump and his newly minted Education Secretary Betsy DeVos have towards public schools.

In closing, let me thank our esteemed leaders here in the Blue Collar Caucus, Congressman VEASEY and Congressman BOYLE. I don't see that this

President is draining the swamp. He is actually digging deeper into it. I really thank them for being an accountability wing here in the first branch mentioned in the Constitution—the legislative branch. I congratulate both of them. It has been a great privilege to join them this evening.

Mr. VEASEY. Mr. Speaker, I thank Representative KAPTUR and everybody that has participated tonight.

I yield back the balance of my time.

□ 1830

ISSUES OF THE DAY AND REFLECTING BACK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, in our Judiciary Committee today, we have been marking up what should have been a couple of rather simple bills, but it is really as if the instructions on the Soros-funded website, manual, things telling people how to obstruct the current majorities in the House and Senate and administration, could possibly be carrying over here into the Capitol itself because there are so many amendments being offered and things being drug out and people saying the same thing over and over. It is about Russia and corruption and one thing and the other—on and on and on.

It is just interesting when people are talking about their dramatic concerns over Russia, who, for years, have been totally silent. When everybody I know of on the Republican side here had been asking that President Obama and his administration do something about the terrible hacking problem from Russia, China, North Korea, Iran, he didn't seem terribly bothered.

I mean, it was as if he were afraid he might hurt Putin's feelings or Khamenei's feelings in Iran and maybe they would want to kill Americans in a more brutal way, the Iran terrorists being paid. I can't help but think that there will be people in the next 4 years who are Americans, who are Muslim, Jews, Christians—especially those groups—who would be killed because of the billions and billions of dollars that this administration forced into the hands of the largest supporter of terrorism in the world: Iran.

It was as if the world—and in particular, the United States—had not been punished enough for the mistakes of the Carter administration in thinking that by pushing the Shah of Iran—not a great man. Apparently, he could be pretty brutal in his own right, but he kept radical Islam at bay.

When President Carter encouraged his forcing out of office, much as President Obama did the same thing with the President of Egypt, in both cases, it created a vacuum that was immediately filled by radical Islamists. The Muslim Brotherhood is who filled it in Egypt. In Iran, yes, it was radical Islamists. And probably for the first time since the Ottoman Empire, radical Islamist leaders were given a country, a country's military with which to wreak their havoc on the world.

It is just hard to believe that, in the intervening years between President Carter leaving office in January 1981 and President Obama coming in in January of 2009, all history had been forgotten or possibly even not really learned.

I guess, if you are learning at the hands or at the feet of Jeremiah Wright, who has such contempt—GD America was his feelings and expression—or if you are at the feet of Bill Ayers, who felt that blowing up police stations, things like that, hadn't quite served the purpose, or perhaps if we take over educating college students who will one day train elementary students and high school students, then we can ultimately create the anarchy that we were trying to create in the late 1960s and early 1970s. Back then, we were unsuccessful, but great inroads have been made here recently. You would just have to believe that America was the problem for the world in the last 100 years, and apparently there are those who feel that way.

But for those of you who have talked with friends of different religions—Muslim, Christians, Jews, secularists—in different parts of the world, those who are actually fair minded make it very clear: the United States has been the greatest force for good as a nation that the world has ever known since the Dark Ages. It just has.

And thank God we have had such wonderful allies in the endeavors that we have undertaken. Of course, in the liberation of Kuwait from Saddam Hussein's hands, we had many other countries who joined us. President George H.W. Bush was going to liberate Iraq. So many Democrats had screamed at President George H.W. Bush as troops were moving into Iraq after the liberation of Kuwait, screaming: Stop, stop, stop. They are giving up. They are giving up.

President George H.W. Bush ordered the stoppage, and immediately thereafter, the Democrats that screamed for him to stop began berating Bush because he didn't finish the job in Iraq. Some of those same people were around to condemn his son George W. Bush when he actually did finish the job.

There was yellowcake uranium that was taken out which showed that Joseph Wilson had apparently said one thing to CIA agents and testified to something totally different, who said something totally different from his original interview when he got back from Africa. Of course, he was heralded a hero by the mainstream media.

But it has just been amazing to see the ebb and flow of international relations. And reflecting back as I did earlier today, as so much from my Democratic friends in Judiciary was made about connections between the Trump administration and Russia, it is just hard not to remember so vividly the comments by Mitt Romney in a debate with President Obama in 2012 that Russia was potentially the greatest threat.

I may be mistaken, but it seems like President Obama even said something glibly like, you know, ''The 1980s called and they want their foreign policy back,'' something rather cheeky like that, when, actually, my friends across the aisle, in Judiciary at least, have come to realize that that was one thing Mitt Romney was right about and President Obama was wrong about.

But if you look at what the Obama administration did, as soon as President Obama took office, instead of taking a principle stand—and I know there was a lot of perceived hatred by those coming in with the Obama administration for George W. Bush. Perhaps it goes back to President Obama's days when he was growing up in Indonesia and he commented in his book, ''Dreams from My Father,'' about how his stepfather was apparently paid off by these fat-cat guys from Texas, oil guys, fat cats from Texas and Louisiana, something to that effect, and you realized, holy smokes, he has had a great disdain for Texas, for Louisiana going back to, you know, preteen years. You couldn't help but wonder if, in policies, it was carried through. Of course, he didn't appreciate his stepfather for working, and working with the Americans back in those days. But perhaps that has affected him.

So if George W. Bush took a principled stand against Russia after Russia assaulted the independent nation of Georgia—I mean, some of us remember that President George W. Bush, trying to look for the good in people, came back from meeting Putin and said, you know: I looked into his eyes and saw his soul. He thought that is what he saw—may have been looking into shark eyes. But in any event, he soon learned the error of his ways. And that is one of the things I liked about President George W. Bush. If he made a mistake, he was big enough to say that wasn't the right way to go, and he would try to fix it.

That is exactly what he did in his relationship with Russia. When Russia attacked Georgia—unprovoked, really—President George W. Bush, his administration, properly took a very principled stand. Some didn't think it went far enough, but he immediately caused a cessation of the great relations that had been going on and took some steps to chill those relations because of Russia's unilateral attack against Georgia, hoping to wake Putin up that you can't just go attack a neighboring country like that. Even if you want the old Soviet Empire back, you can't just do that without repercussions. So because of Putin's imperialistic attack, Bush took a strong stance and let Russia know: We don't approve of what you have done, and we are cooling things, we are freezing things.

One of the first things that occurred after President Obama took office, he sent his new Secretary of State, Hillary Clinton, to meet with the Russians and they had this red plastic button—looked pretty cheap, but it was supposed to have said ''reset,'' but apparently, they couldn't get the translation right. I am not sure what it said, peregruzka. I don't know what it said. I don't know what it was. But somebody that didn't know how to translate ''reset'' put it on and delivered the wrong message.

But the more important message that Secretary Clinton and President Obama delivered to the rather ruthless imperialist leader of Russia was this: George W. Bush overreacted when you attacked your neighbor, Georgia, Mr. Putin, and we want you to know, we don't have a problem with you attacking Georgia, attacking your neighbors, trying to take over their territory. So we are here with big smiles and big laughs because we want to be such a good friend of yours, and we think it is perfectly fine what you are doing. We think you are terrific.

□ 1845

That is the message after Bush let Putin know: Wait a minute. We are not going to let you be the big bully in the world. Enough.

But the Obama administration sent a very clear message: We are not Bush. We don't have a problem with you attacking Georgia.

And it is hard to think anything but that message that Hillary Clinton and Barack Obama, as our President, sent to Putin was clear: We would be okay if you attacked Ukraine, Crimea. You know, we are okay with that. If it is adjoining, yeah, yeah, attack away.

What else is Putin supposed to think when President Bush reacts harshly when he attacks a neighboring country, and the new President comes in and says: We are fine with everything you are doing. We are nothing but smiles and plastic red buttons. We are good. We don't mind anything you have done. We want to be your good friend.

If the message from that was not clear enough, before he was reelected in 2012, a microphone he didn't realize could pick him up, picked up our President telling the President of Russia: Basically tell Vladimir I will have a lot more flexibility after the election.

Well, now that could only have one meaning, and that is, I got to look tough and like I am standing up tough to Putin right now before the 2012 election, but make sure Putin knows that after the election I can give the farm a whole lot easier. I can let him do a whole lot more that he wants to do. We can be a lot more chummy once I get past my second and last election as President. So you make sure Vlad knows—my bosom buddy over there, my best friend forever—I am going to be able to work with him like he wants me to once I get past the next election.

So with those kind of messages, then, as if it wasn't enough, followed up by another message to Russia and the world when he stated that, basically, if President al-Assad in Syria used gas on people in Syria, that would be a red line. And if he crossed it, obviously we would have to do something. He created a red line. Nobody asked him to.

Putin picks up messages like that. For all of the problems he presents, one problem he does not present is where he stands, where he wants to go, and what motivates him. He's very clear.

I have never met the man, but I have studied enough about Russia, and I have learned enough about Putin to know exactly who he is, what he is capable of, what he wants to do. And it is pretty clear: He wants to rebuild his empire. He hates the United States. He blames the United States for the fall of the glorious Soviet Union, that great USSR that once ruled the waves and the world. He wants a grand return to those days, and he wants to be the leader like Khrushchev or Brezhnev. Really, he would rather be in the nature of Stalin.

As Stalin himself once said, a translation: With power, dizziness. Stalin said that, and he should certainly know.

I think probably Putin has run into that as he has gotten all this glamour. During the Obama years, so many magazines and journalists just couldn't get enough of Putin with his shirt off. I mean, it may have helped the sex status of—as the status symbol of people who were bald. Maybe I should be proud and happy for that, but it didn't seem to affect me at all.

But there was so much laid on the shoulders—the mantle laid by the Obama administration on the shoulders of Putin. And when that didn't seem to work out very well, it looked like the next big step was to ingratiate this Nation's Presidency, administration to the most evil leaders in the world, those who are leading Iran.

They can be an evil empire all by themselves. They have wreaked so much havoc in the world. So many of the Americans that died liberating Iraq, lost their lives at the hands of IEDs or other weapons of war inflicted on them by Iranians—are sent to Iraq from Iran.

There is a big price to pay for mistakes in judgment of Presidents.

I believe Donald Trump will ultimately end up being one of the greatest Presidents in foreign relations because I think he is going to figure out, as George W. Bush did, Putin is not someone you can trust. You need to understand where he is coming from and where he wants to go. And you can use him when it is to our advantage against a common enemy. But make no mistake, he would glory in the fall of the United States.

He is wrong about why the Soviet Union fell. It fell because it was based on communism, totalitarianism, and it was destined to fall.

I could see that during the summer that I was there as an exchange student, and I went out to a collective farm. And being from East Texas, I worked on farms and ranches. And during summer, as this was sometime in July, I went out to a collective farm there; and there were massive acres, huge numbers of acres out there.

I couldn't really tell what was being cultivated and what wasn't, what even the crop was. It didn't look good. It was brown. I couldn't get over how sad things looked out there. This was down in the Ukraine, the bread basket of what was the Soviet Union at the time.

I know that if you are going to work around the latitude that that was in Ukraine—similar to ours back in Texas—in the summer, you best start around sun up so that you don't have to work when the Sun reaches its hottest time in the day.

Seeing all of the farmers gathered in the shade there near the center of the village—a little town they had there—they were all sitting in the shade midmorning. I tried to use my best Russian that I could speak at the time and asked them, tried to use a smile: You know, when do you work out in the field?

They laughed. I thought, well, maybe I messed up a word and made it into a weird translation.

Then one of them spoke up in Russian, and he said: I make the same number of rubles if I am out there in the field or if I am here in the shade—if I am out there in the Sun or here in the shade, so I am here in the shade.

I thought at the time that is why socialism, communism could never work. If you are going to pay people the same thing not to work as you do the people who are working, then eventually most people are not going to work.

It is a good thing to have a safety net for those who, through no fault of their own, find themselves unemployed; but you can't turn into a Socialist nation where you reward people—provide the safety net, sure—but you can't provide incentives to sit in the shade and not work at all. Because eventually some day, your people will go hungry and your nation will fail as a nation-state, and it did. There were many factors that contributed, but the bottom line is that type of system can never work in this world, in this life.

The Pilgrims tried it in that beautiful Mayflower Compact where they were all going to work and bring into the common storehouse and share. It was just a beautiful, lovely way to approach things.

I have loved looking, as I did last night, at the painting there in the rotunda reflecting the Pilgrims' famous prayer meeting there in Holland. It says ''Speedwell'' right under the platform where they were. They were on the ship, the *Speedwell*, before they left in two ships—the big *Speedwell* and the small *Mayflower*—and went over to England.

The *Speedwell*, the big ship that was going to allow them to take so many more to the new land, America, began

taking on water, for whatever reason. There were different things said about what may have been the cause.

But for whatever reason, they had to do a bit like Gideon did. They had to winnow it down to the people that had the best chance of making it to America so they could fit on that small *Mayflower*. So they winnowed the group down. They came over on the *Mayflower*.

It was a beautiful thing, loving, working hard as they did. But when such a huge number of their settlers died during that first winter, basically, the short version, they ultimately tried something new resembling private property: You take your property. You grow. You use it however you want. And whatever you grow and produce, that is yours.

It's amazing that worked out so well. Unlike the collective farms in the Soviet Union, there was incentive to work hard, produce, and people thrived, did so well. That actually gave a lot of incentive to others. Hey, this private property thing can work out well.

Here, all these years later, we have people wanting to go back to that way of life that has failed every time it has been tried. Even when the Apostle Paul tried it, he ultimately had to throw up his hands and say: Okay. New rule. If you don't work, you don't eat.

Because the socialist way of doing things in this world is not going to work.

I am glad that my friends who were so vocal about not wanting a strong relationship with the current leader of Russia, I am glad they finally realized what those of us on the Republican side—most of us—have been saying for a very long time. Yeah, we can work with the Russians to defeat our common enemy, but you should never lose sight of the fact Putin does not really want us for friends. He wants to see this country gone. He wants to see our way of life fail. So just don't lose sight of that.

It is also interesting—we had amendments being proposed today with the same theme being repeated constantly about a Muslim ban, in essence, that we should not ever take religion into account when it comes to immigration. That has no place.

Yet, when our chairman, one of our other Members brought up the—I believe it was RAÚL LABRADOR—the Lautenberg amendment that so many of us support, when you know a group of people—such as the Jewish people in another part of the world—are being killed and they are being persecuted, when we know that is taking place, it is a good thing to consider who they are and that their religion is being persecuted.

When there are Christians in another part of the world being persecuted beyond what other religions are, it is a good thing to try to help them.

□ 1900

When there were Muslims being persecuted in Eastern Europe, the Clinton administration responded, came to their aid. And for those that say, gee, standing up to radical Islam will only encourage more recruitment—my word—how much worse can it get than it has gotten during the last 8 years?

There was no ISIS. President Obama took office, Afghanistan, they were still fighting; but actually, the Taliban had been totally—any organized Taliban had been destroyed by February of 2002, and we hadn't lost a single American life. We had used—we had let the Northern Alliance, residents, citizens in Afghanistan, we let them fight our enemy because, though they were Muslim, most of them, they didn't want radical Islamists running Afghanistan.

A mistake was made after our friends in the Northern Alliance totally routed the Taliban. We sent in tens of thousands of American troops, and our friends, who loved us and heralded us for our liberation from the Taliban in Afghanistan, began to look at us as occupiers. I have been to Afghanistan enough. I have seen the way that relationship has gone, from us being the heroes that liberated their country from these radical Islamists that were a bane to the existence of just peace-loving Muslims wanting to live and not be terrorized by radical Islamists, and somehow we ended up becoming bad guys to so much of the country because of our massive presence.

I do believe, Mr. Speaker, there is potential with all of the chaos that is beginning to raise its head again in Afghanistan. I heard a report this morning that Afghans had confided to a Republican here in town when he was over there visiting that al-Qaida is even back in Afghanistan. So it is not just the Taliban back stronger than ever; now al-Qaida is back in Afghanistan.

And what was the cost to America, to our military over the last 8 years in allowing the Taliban to come back stronger than they were originally, to al-Qaida, to come back in Afghanistan stronger than they were originally? My personal opinion, I believe it was because of President Obama's rules of engagement. But we lost four times more precious military lives in Afghanistan during President Obama's command than were lost during just under 8 years under Commander George W. Bush.

How could we lose four times more American military and suffer such a setback over the last 8 years, where we are back maybe a little worse off than things were when we went in to Afghanistan in October of 2001? Well, it has to do with the commitment. I heard former Vice President Cheney say that when President Obama announced he is committed to Afghanistan and he sent a surge into Afghanistan, he also announced, what seemed almost simultaneously, and we are going to be out in 18 months.

As we know from history, nobody that ever won a war, a police action, a confrontation, ever set a deadline: We are going to win by this date or we are coming out, whether we have won or not. That message went out loud and clear to the Taliban that was growing back that if we can just hang on for 18 months, we will own Afghanistan all over again.

I understand that, apparently, General Harwood, that has apparently been named by President Trump as the new National Security Adviser—and Mr. Speaker, I am sorry. I have got to say this because of what Billy and Karen Vaughn have come to mean to me since I met them some years back, after the death of their SEAL Team 6 son, Aaron. Gosh, I have come to know—I never met him while he was alive, but I have come to know him and feel like I knew him as a friend and as one of his admirers, vicariously, through his parents, Billy and Karen.

When I heard the general's name come back up as one of those being considered, I thought, oh, please, surely not, because Billy and Karen made clear, you know, as family members were finding out what happened there in Afghanistan that took the most SEAL team lives we had ever had, they went onto a Chinook that should not have carried our SEAL team members. They went onto this Chinook and, supposedly, going on a mission, and yet because of the rules laid down by President Obama and his administration, they had to make sure that the Afghans knew exactly what was going to occur, where they were going, what they were going to do.

Even knowing that after Vice President Joe Biden's gaffe, where he released classified information, that it was the SEALs who took out Osama bin Laden, it wasn't supposed to come out. It was another gaffe. But immediately, Bill and Karen said, after Biden outed the SEALs and it came out it was SEAL Team 6, they got a call from Aaron saying: Hey, you need to get off social media. The radical Islamists are going to be looking for us, for our family members.

So this administration put big targets on SEAL Team 6 by disclosing classified information that ultimately led to their deaths, and it put targets on family members of SEAL Team 6. I know they didn't mean to do it. I know it wasn't intentional. They just didn't realize how serious things were.

I know they must not have realized, or at least President Obama must not have realized, how serious it was when I watched the video of the gentleman that was called his body man, was with him through so many days, and he was answering questions at a university in California. It has been some years back that I watched. But he was asked, in effect, what was it like being with President Obama when he went into the room where they were watching SEAL Team 6 go after Osama bin Laden. He basically said: Oh, we didn't stay in there long. The President looked in but said, ''I'm not watching this,'' and they

went and played cards, several hands of cards, while the SEAL Team 6 was putting their lives on the line for their country.

So if that is your way of thinking, then it is understandable that you wouldn't appreciate the dangers in which you put SEAL Team 6 when you out them as the people who went after Osama bin Laden. But they knew, and the chatter was clear, and it was loud. They wanted to take casualties and get a price back with lives of SEAL Team 6 members.

The mission that they were on should have ended right then, when the Afghan commander came up. They knew where they were going. He comes up and pulls off their elite soldiers, off the Chinook helicopter, and replaced them with people whose names were not on the manifest. Well, under the rules, that should have ended the task, should have ended the operation right there. They were told to go on, so they went—I have seen the transcript of testimony, statements—by gunship, C–130 gunship in the area. They had all kinds of imaging.

And this isn't classified because this was on the DVD that was given to the family members. They were later asked if they would give it back. They didn't realize quite how much information they had put. Yeah, they sure didn't because the family members, like the Vaughns, watched it, read it, found out what was on it.

We had a C–130 gunship, and I—my 4 years on Active Duty in the Army, I was never in combat. I think we should have gone into combat in Iran when an act of war occurred and our embassy was attacked. But that was Commander-in-Chief Carter's call, and he decided not to send anybody. I think if he had responded within 48 hours and said, ''You either release our hostages, or we are sending our United States military, and you better not hurt them or there will be a powerful price paid by you and your country,'' I think they would have released them. I think that is why, probably—I mean, I was watching closely from Fort Benning. All of us were watching the news. Were any of us going to be sent?

The Ayatollah had a spokesman. I have not seen anything about it since I watched back in those days, '79, but I recall him. It was very interesting. For a few days, he kept distinguishing that it was the students that attacked the U.S. Embassy. It was the students that had the hostages.

I said to some of my Army friends at Fort Benning: I think he is afraid Carter's going to send our military, and he is using the students as a back door for him. So if Carter shows a backbone and says, ''You either release our hostages or we are sending—you are going to feel the full vengeance of the United States military,'' they had a back door. It gave the Ayatollah an opportunity to save face by saying: You don't have to do it. We have negotiated with the students. Here are your hostages back. You don't have to invade Iran and take out our administration. See, we are your friend. We helped you out.

But after a few days, I am not sure exactly what it was, but after a few days, it was clear, I think, to the Iranian leaders that this President is not going to do anything. He is just going to ask us to let their people go, and so we don't have to worry. They began to say ''we have the hostages'' because they knew Carter wasn't going to do anything.

I still believe, based on what I learned at Fort Benning, that if President Carter had allowed all the helicopters to go that I was told were originally requested, then there would not have been one chopper—they had to have six to be able to make it the 500 miles into the staging area there in Iran. As has come out publicly, they all knew, if we don't get six choppers out of the—eight was all the Carter administration would allow to go. They should have sent 12 because they expected to have a 50 percent loss, turbine engines going across sand like that 500 miles. They knew they had to have six or the mission was an automatic abort.

As we know, when only five got there and it was clear there was not another one coming, then it was aborted. As I understand, the investigation indicated the helicopter pilot, as sand swirled around his chopper, must have gotten vertigo and not relied on his instruments. The helicopter tilted. The blade went through the C–130, and everybody on the chopper and the C–130 was killed.

□ 1915

But, once again, we were embarrassed because we didn't have a Commander in Chief that was totally committed to doing what it took to get our hostages out. Again, I will always believe, if he had shown a backbone within 48 hours of our embassy being attacked and our hostages being taken, there would be thousands of American military lives still in being today.

So having witnessed firsthand lessons of poor decisions by Commanders in Chief, having seen the data, the statistics of dead American military in Afghanistan, four times more under Commander Obama than under Commander Bush in approximately near the same amount of time, we haven't learned the lessons of the past very well.

I feel absolutely confident that the President is going to learn his lessons. He has made a couple of mistakes. And certainly I agree, you can't have a National Security Adviser that is not completely honest with the Vice President and the President; you just can't. You have to be able to totally trust him. That has been a problem in our intelligence community. They were leaking and undermining President Bush, and now it is happening again to President Trump.

So as I was talking about SEAL Team Six, these devastated families that had lost the greatest military members that we could have lost at that point, their every life is just priceless, invaluable. But there was so much money spent in training up these SEAL teams. It is an investment. You need to make sure they have the right equipment, that you don't have Afghans pulled off that are the best fighting members that Afghanistan has, and you put what they considered expendable Afghanistan soldiers on with our elite SEAL Team Six, especially when you know there are targets on their backs.

But when the families met General Harward, they said they were just so crushed, they were so devastated, and they found out that this AC–130 gunship, that there were opportunities to take out this patrol, this team, that shot down the Chinook and our SEAL team members. And there were other precious American lives on that helicopter in addition to the SEAL Team Six members, and they should not be shorted in when we owe them and their memories.

But they asked if they had an opportunity to take these guys out. And the crew said they did. They had the thermal imaging. They could see these guys moving like military. They could see them moving up to the high point and getting ready to fire. They asked for permission to take them out, and they were denied permission to take them out. They watched them fire over and over at the helicopters with the rocket-propelled grenades apparently of some kind, and they missed with the first one. As I understand it, they were still not allowed to shoot them down, take out the Afghan rebels. They fired again, and they fired again. And the second and third took out our precious American military members along with those precious Afghan lives who should never have been on that helicopter to begin with.

Then they watched them dismantle their equipment and start to climb down. They asked permission to take them out, it is my understanding, and, once again, they were told there may be civilians in the area, so, no, do not fire; and they watched them fade back into the population of Afghanistan after killing so many of our SEAL Team Six and others on the helicopter.

They asked the general who is now apparently going to be our National Security Adviser: Why didn't you take out these people, these Afghan radical Islamists? Why didn't you take them out before they took out our military members, our SEAL Team Six? Why?

His statement, from their memory, as related to me, was, in essence: Because we were trying to win hearts and minds.

Our National Security Adviser is going to be more interested in—or at least he has in the past—apparently has been more interested in winning hearts and minds of people that hate our guts than he is of protecting the most precious assets the United States of America has: American lives.

We haven't won any hearts and minds by allowing SEAL Team Six—so many of those members on that Chinook—to be killed. We haven't. That strategy didn't work.

I am sorry. I want to be supportive. I was excited President Trump won, but when I know how this man, who I understand today has now been named to be the new National Security Adviser, was given the task of encouraging and being empathetic to the family members who lost those precious American family members in that Chinook that should never have been shot down, it should never have been allowed to take off, and the best he could do is say: Sorry, they had to die because we were trying to win hearts and minds instead of win the war.

I hope that his mentality has changed. I hope he will not be willing to expend the best trained, the best and brightest military members we have, as he tries to win hearts and minds instead of trying to win a battle and win the war; but I guess time will tell.

Mr. Speaker, I want to finish by saluting all those brave Americans that have defended freedom, that have fought for America, and who have responded in a voluntary military since 1979 and given their lives at the hands of radical Islamists. I hope and pray this President will pick people from here who will have the same feelings about precious American lives.

I know Donald Trump does, and I think he will be a good President. I think he blew it on this call, but time will tell.

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

INTERNATIONAL HOLOCAUST REMEMBRANCE DAY

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 30 minutes.

Ms. KAPTUR. Mr. Speaker, I want to welcome my colleague, Congressman JOE CROWLEY, the chair of the Democratic Caucus who is joining us this evening as well. I know how very busy he is, and I appreciate it.

As author of the legislation that created our Nation's World War II Memorial here in Washington, I felt obligated and actually compelled to come to this well tonight.

Mr. Speaker, I include in the RECORD the Trump administration's hollow January 27 statement commemorating International Holocaust Remembrance Day.

STATEMENT BY PRESIDENT TRUMP ON INTERNATIONAL HOLOCAUST REMEMBRANCE DAY—JANUARY 27, 2017

''It is with a heavy heart and somber mind that we remember and honor the victims, survivors, heroes of the Holocaust. It is impossible to fully fathom the depravity and horror inflicted on innocent people by Nazi terror.

''Yet, we know that in the darkest hours of humanity, light shines the brightest. As we remember those who died, we are deeply grateful to those who risked their lives to save the innocent.

''In the name of the perished, I pledge to do everything in my power throughout my Presidency, and my life, to ensure that the forces of evil never again defeat the powers of good. Together, we will make love and tolerance prevalent throughout the world.''

Ms. KAPTUR. Astoundingly, the White House statement made no reference to the 6 million Jews that perished in the Holocaust. There was no mention of anti-Semitism nor a reference to Israel, as has been customary in prior statements issued by our past Presidents.

Mr. Speaker, I include in the RECORD a statement by President George Bush in 2008.

STATEMENT BY PRESIDENT GEORGE W. BUSH ON THE INTERNATIONAL DAY OF COMMEMORATION IN MEMORY OF THE VICTIMS OF THE HOLOCAUST—JANUARY 27, 2008

On the third International Day of Commemoration, we remember and mourn the victims of the Holocaust.

I was deeply moved by my recent visit to Yad Vashem, Israel's Holocaust museum. Sixty-three years after the liberation of Auschwitz, we must continue to educate ourselves about the lessons of the Holocaust and honor those whose lives were taken as a result of a totalitarian ideology that embraced a national policy of violent hatred, bigotry, and extermination. It is also our responsibility to honor the survivors and those courageous souls who refused to be bystanders and instead risked their own lives to try to save the Nazis' intended victims.

Remembering the victims, heroes, and lessons of the Holocaust remains important today. We must continue to condemn the resurgence of anti-Semitism, that same virulent intolerance that led to the Holocaust, and we must combat bigotry and hatred in all forms in America and abroad. Today provides a sobering reminder that evil exists and a call that when we find evil, we must resist it.

May God bless the memory of the victims of the Holocaust, and may we never forget.

Ms. KAPTUR. Mr. Speaker, I will also include in the RECORD a statement by President Barack Obama from 2015 showing what the White House said about Holocaust Remembrance Day.

STATEMENT BY PRESIDENT OBAMA ON INTERNATIONAL HOLOCAUST REMEMBRANCE DAY AND THE 70TH ANNIVERSARY OF THE LIBERATION OF AUSCHWITZ-BIRKENAU—2015

On the tenth International Holocaust Remembrance Day and the 70th anniversary of the liberation of Auschwitz-Birkenau, the American people pay tribute to the six million Jews and millions of others murdered by the Nazi regime. We also honor those who survived the Shoah, while recognizing the scars and burdens that many have carried ever since.

Honoring the victims and survivors begins with our renewed recognition of the value and dignity of each person. It demands from us the courage to protect the persecuted and speak out against bigotry and hatred. The recent terrorist attacks in Paris serve as a painful reminder of our obligation to condemn and combat rising anti-Semitism in all its forms, including the denial or trivialization of the Holocaust.

This anniversary is an opportunity to reflect on the progress we have made confronting this terrible chapter in human history and on our continuing efforts to end genocide. I have sent a Presidential delegation to join Polish President Komorowski, the Polish people, official delegations from scores of nations, and many survivors, at today's official commemoration in Poland.

As a founding member of the International Holocaust Remembrance Alliance, the United States joins the Alliance's thirty other member nations and partners in reiterating its solemn responsibility to uphold the commitments of the 2000 Stockholm Declaration. We commemorate all of the victims of the Holocaust, pledging never to forget, and recalling the cautionary words of the author and survivor of Auschwitz Primo Levi, ''It happened, therefore it can happen again. . . . It can happen anywhere.'' Today we come together and commit, to the millions of murdered souls and all survivors, that it must never happen again.

Ms. KAPTUR. Mr. Speaker, let me be clear: between 1933 and 1945, 14 million unarmed men, women, and children were murdered in Eastern Europe. These bloodlands were where most of Europe's Jews lived and where Hitler's and Stalin's imperial plans overlapped. Of the 14 million human beings who were killed, at least 6 million were Jewish souls. Their carnage was the largest in human history.

Thus, the brevity of the Trump administration's statement was surprisingly and unusually short and general—only about 100 words. When the White House was asked about these glaring omissions, multiple officials in the new administration at the White House merely confirmed ''the statement was no mistake.''

The Trump White House statement chose not to explicitly acknowledge the deaths of 6 million Jews during the Holocaust. This is atypical of any former President of our country. Moreover, the Trump statement implies that the recognition of the death of Jews during the Holocaust would come at the exclusion of other groups. The tone of those remarks takes the reader in the direction of denying the suffering of the Jewish people.

For the President not to mention Jews is a terrible omen.

So let us go through some history. The term ''holocaust,'' arising from World War II, has come to mean annihilation of Jewish persons. From 1933 to 1945, those Jewish souls who perished in Europe totaled at least 6 million human beings. Between 2.7 million and 3 million Jews were murdered in Nazi-run death camps. In the USSR, 1,340,000 Jewish deaths were ordered by Joseph Stalin. At least 1.5 million of the victims forcibly killed by Hitler and Stalin were children.

Cumulatively, this carnage represented about two-thirds of the 9 million Jews who had resided in Central Europe. By way of explanation, for the 8 million Christians and others who were also murdered, the term generally used to describe their carnage is martyrdom. As an example, in Poland, 3 million Catholic Christian Poles were martyred by Nazi and Soviet killing machines.

The Holocaust also included Stalin's mass executions and forced starvation

and relocation of Soviet prisoners of war to fight in horrendous places like the Battle of Monte Cassino after being marched through the Middle East. Many of them were buried in Tehran.

Stalin also perpetrated a massive post-war ethnic and religious cleansing of Jews and non-Jews. As Hitler and Stalin fought for control of the European continent, over 14 million innocent people—these aren't soldiers I am talking about. This was in addition to the 14 million—women, children, and men who were civilians died in their vastly evil plunder. Millions of Eastern Europeans were trapped between the two most murderous regimes in not only European history, but human history: Nazi Germany and Communist Soviet Union.

As an aside, I found it chilling that President Trump's top adviser, Steve Bannon, in an address to the Vatican in 2014, referenced in a most troubling line of thought the name of Julius Evola and his murderous movement.

Mr. Speaker, I include in the RECORD excerpts of an article entitled ''This is How Steve Bannon Sees the Entire World,'' which is also available at www.buzzfeed.com.

[From BuzzFeed News Reporter]

THIS IS HOW STEVE BANNON SEES THE ENTIRE WORLD

(By J. Lester Feder)

Donald Trump's newly named chief strategist and senior counselor Steve Bannon laid out his globalist nationalist vision in unusually in-depth remarks delivered by Skype to a conference held inside the Vatican in the summer of 2014.

Bannon: I think it's a little bit more complicated. When Vladimir Putin, when you really look at some of the underpinnings of some of his beliefs today, a lot of those come from what I call Eurasianism; he's got an advisor who harkens back to Julius Evola and different writers of the early 20th century who are really the supporters of what's called the traditionalist movement, which really eventually metastazied into Italian fascism. A lot of people that are traditionalists are attracted to that.

One of the reasons is that they believe that at least Putin is standing up for traditional institutions, and he's trying to do it in a form of nationalism—and I think that people, particularly in certain countries, want to see the sovereignty for their country, they want to see nationalism for their country. They don't believe in this kind of pan-European Union or they don't believe in the centralized government in the United States. They'd rather see more of a states-based entity that the founders originally set up where freedoms were controlled at the local level.

I'm not justifying Vladimir Putin and the kleptocracy that he represents, because he eventually is the state capitalist of kleptocracy. However, we the Judeo-Christian West really have to look at what he's talking about as far as traditionalism goes—particularly the sense of where it supports the underpinnings of nationalism—and I happen to think that the individual sovereignty of a country is a good thing and a strong thing. I think strong countries and strong nationalist movements in countries make strong neighbors, and that is really the building block that built Western Europe and the United States, and I think it's what can see us forward.

Ms. KAPTUR. Mr. Speaker, Julius Evola has been described as one of the most influential Fascist racists in Italian history, admired by the Nazi SS, its commander, Heinrich Himmler, and Benito Mussolini. Nazi SS Reichsfuhrer Heinrich Himmler was most certainly responsible for the Holocaust.

Hitler's madness obsessed over creating an Aryan nation. Joseph Stalin's depraved dream of conquest knew no bounds. Stalin even conscripted Jews to lead hunts to exterminate other ethnic groups, and then killed the Jews when the mission was completed. The level of Stalin's depravity is difficult for sane people to understand.

Violent anti-Semitism and hatred did not end with the defeat of Nazi Germany and the ultimate collapse of the Communist Soviet Union. We can observe a resurgence in certain places in Europe and, sadly, even in isolated incidents here in the United States.

□ 1930

History tells us that the rising anti-Semitic violence is not just a threat to civil society today, but the future of free people everywhere. The recent anti-Semitic terrorist incidents in Paris at the Bataclan, Jewish-owned enterprises, or Nazi symbols appearing in hateful situations here in our own beloved country demand that decent people find peaceful means to stare down hate.

Timothy Snyder's masterful book ''Bloodlands'' documents the 6 million souls of the Holocaust and 8 million souls of martyrdom and murder. The Nazis established killing centers for efficient mass execution. These killing centers, also referred to as ''extermination camps'' or ''death camps,'' were almost exclusively ''death factories.'' German Schutzstaffel and police murdered nearly 2.7 million Jews in these killing centers either by asphyxiation with poison gas or by shooting.

For the non-Jewish populations of Europe, the 8 million non-Jewish victims of Nazi and communist campaigns of mass murder include Romas, Soviet prisoners of war, Aktion T4 patients, Ukrainian Holodomor famine victims, Serbs, the disabled, the LGBTQ communities, and others known only to God.

There were also unfathomable crimes against entire nations, as Poland and Belarus were both slated for complete extinction. Poland lost an astounding 20 percent of its entire population, with 6 million killed in the war, and Belarus, though smaller in population, lost 25 percent of its population.

In Poland, leaders were annihilated. Many members of the Catholic clergy were either threatened with deportation, kept in custody, or sent to camps. The Catholic Church was particularly suppressed, for nearly a fifth of all priests—over 3,000—were killed between 1939 and 1945, most in concentration camps.

From 1932 to 1933, Joseph Stalin's forced famine engulfed much of present-day Ukraine and its eastern flank. The heaviest losses were in Ukraine—which is struggling for its freedom today—which had been the most productive agricultural area of the Soviet Union. Stalin was determined to crush all evidence of Ukrainian pride. As with Poland's leadership, the famine was accompanied by a devastating purge of all of Ukraine's intelligentsia.

Millions of peasants were condemned to death by starvation. Troops and secret police units waged a merciless war against peasants who refused to give up their grain. Any man, woman, or child caught taking even a handful of grain from a collective farm could be, and often were, executed or deported to work camps. Stalin's system of internal passports and brutal secret police forced collectivization of the land to Communist-run production.

After a long search through history and recordkeeping, I can personally give testimony and even learned that the Catholic Church located in today's Ukraine, in which our maternal grandparents were married, held a dark secret. Joseph Stalin's secret police, the People's Commissariat for Internal Affairs, the NKVD, killed 168 people in its basement as Stalin's Black Raven trucks drove the innocents to their death.

Historians continue to seek truth even until today about what happened. Their painstaking research includes information from the Soviet archives. Though some people try to erase history or ignore it, others work diligently to record it and learn from it.

I recall how fondly our grandmother spoke of Jewish storekeepers in the region from which she emigrated, welcoming her before and after church on Sunday and telling her to change into her church shoes there before attending mass and after her 5-mile hike from her village and the 5-mile hike back. The Jewish storekeeper would always give her a piece of candy.

There are other Members here tonight that wish to speak. I am so grateful for their presence here tonight because we are the bearers of liberty's torch.

Mr. Speaker, I yield to the gentleman from New York, (Mr. CROWLEY), the great leader of the Democratic Caucus, and I thank him for taking time from his busy schedule to be here with us.

Mr. CROWLEY. I thank my friend, the gentlewoman from Ohio, for being here this evening to have this Special Order to speak on an issue of such magnitude, of importance to we the people of the United States, important to the world, that we never forget what took place: the horror, the utter destruction of humankind during the Holocaust, but, in particular, the focus of that destruction upon the Jewish race.

It is important because we are seeing a rise, quite frankly, of anti-Semitism not only around the world, but right here in the United States. It takes different forms in different places, but, in

the end, has the same result of targeting and hurting one of the historically most vulnerable groups in our world: the Jewish people.

One of the things that has been the most concerning to me is the minimizing of the suffering of the Jewish people during the Holocaust. Frankly, it is really outright disturbing—I don't know if that does it justice—that the White House of the United States of America, the home of our President, our present administration, representing the same country that defeated Nazi Germany, the same country that bore the Greatest Generation, the same country that led the fight against anti-Semitism worldwide, while recognizing from time to time it had to douse it here in the United States, our country, this same White House that I referred to deliberately refused to mention that the Holocaust was designed to eliminate the Jewish people from the face of the Earth. Not a single mention of the Final Solution. The Final Solution was to obliterate, eliminate the Jewish people off the face of the Earth.

Yes, many people died in the Holocaust, as the gentlewoman made reference to so eloquently—disturbingly, but eloquently. Of the tens of millions of people who died, we know of them historically, but no race or religion was designated for elimination like the Jewish people were. The Final Solution was about ridding the Jewish people from the face of the Earth. It is that simple. It is imperative that this moment does not pass without some clarity.

What is clear is that the White House purposely removed the reference. They are proud of it. They doubled down. They tripled down. They removed the reference to the Jewish people in its statement on International Holocaust Remembrance Day.

Why does this matter, you may ask? Well, first and foremost, it feeds the extremists. We know they exist. Let's face it, extremists have welcomed this White House statement. They love it, they glorify it, not just theoretically, but literally. Literally, White supremacists have welcomed the White House decision to leave any mention of the Jewish people out of the Holocaust remembrance.

Secondly, it matters because a lot of people in the world today either don't know that the Holocaust happened or don't believe that the Holocaust happened—not just theoretically, but literally don't believe that the Holocaust took place.

Literally, a 2014 global survey of anti-Semitic attitudes found that 35 percent of people around the world have never heard about the Holocaust. Maybe you can understand that. But an additional 32 percent, more importantly, believe it is a myth or greatly exaggerated.

Thirdly, it matters because there are many Holocaust survivors—I know them and their descendents—in the United States and throughout the world.

The actions behind the statement were just downright cruel and inhumane to them, not just theoretically, but literally cruel and inhumane.

Literally, groups that are dedicated to this issue are deeply, deeply disturbed. The Anne Frank Center and others have raised their voices.

This is not just coming from Democrats. I don't want to mislead here at all. There are a range of Republican leaders—and there are four of them—and Republican groups that have expressed their anger at the White House position on the Holocaust, but one entity. We will come back to this House in a moment.

The White House hasn't seemed to have heard their outcry, but the gentlewoman from Ohio and I, the Democratic Caucus, we have heard.

What has taken place is wrong; simply wrong. You would think that the President would correct the situation. In fact, today, he had the opportunity to condemn anti-Semitism at his press conference with Prime Minister Netanyahu, and he didn't do it. In fact, when he was asked on this very subject of the failure to mention the Jewish people of the Holocaust, he used the opportunity not to clarify his position, but to make reference to how great his election victory was.

In watching that press conference, as disturbed as I was about the answer from our President, I was more than a bit disappointed, quite frankly, by Prime Minister Netanyahu's failure to challenge the President on that. I wish Prime Minister Netanyahu would have asked President Trump to change his statement; not to whitewash what was done, but to change his statement on the Holocaust. I still hope that the Prime Minister does that in the time that he is here.

So this Special Order tonight will help us set the record straight, not just on behalf of the millions of Jewish Americans across this country, but to send a clear message to all those who engage in this type of behavior.

I ask this question: Where are our Republican colleagues on this issue?

Do you hear that? Silence.

We have given them opportunity after opportunity to speak out against what the White House has done, but our Republican colleagues refuse to criticize the White House for the omission of the Jewish people in the Holocaust resolution.

Could you imagine for a moment what the outcry would have been had President Obama accidentally omitted this, putting aside purposely omitting it, but the outcry if he had accidentally omitted the mentioning of the Jewish people in his annual statement? He never did that, though, nor did President Bush, as the gentlewoman from Ohio (Ms. KAPTUR) has pointed out. This was no mistake. It was a willful omission. Yet still, nothing from our Republican colleagues.

The gentlewoman from Ohio knows that I have offered a resolution. We will continue to ask our Republican colleagues to join us on that resolution asking the White House to set the record straight and to include the mentioning of the Final Solution and the attempt by the Nazi regime to eliminate the Jewish people from the face of the Earth.

□ 1945

We will use every legislative mechanism possible to do that, whether it is a motion to discharge, whatever that will be. I am putting my Republican colleagues on notice, because they must raise their voices. They must raise their voices to what has taken place in this White House. Whether it is Steve Bannon and those who work within the cellar, the deep cellar of the White House who came up with this resolution to purposely omit the mentioning of the Jewish people, our Republican colleagues will either have to answer for the White House and defend it or condemn it. You can't have it both ways.

I want to thank the gentlewoman from Ohio once again for bringing us together. It needed to be done. We will continue to raise this question until the White House comes to its senses and sets the record straight and does no longer continue to enable Holocaust deniers. I thank the gentlewoman from Ohio for holding this Special Order this evening.

Ms. KAPTUR. Mr. Speaker, I am so grateful for Mr. CROWLEY's presence and his eloquent remarks this evening, representing one of the major cities in our country where Jewish leaders from all walks of life have helped elevate America. I know how proud they are of him and what he is attempting to do. I hope every one of our colleagues, all 435, sign on to his resolution. It is most worthy. I thank him so very, very much for joining us this evening.

I want to tell a story in the region that I represent, though this particular neighborhood was cut out of my district. A Nazi swastika was painted on a garage door recently of the home of a Muslim family. It was really repugnant and very cruel, but what happened in our community? What did the American people do? One neighbor came over with a bottle of red paint and she made a big heart over the swastika. Then the conductor of the symphony came and musicians came, and they played ''Ode to Joy'' to the family, and other friends came and the American people.

I love the American people because deep in their hearts they live the values of liberty and justice for all. The garage door itself was replaced by the Toledo Overhead Door Company. They gave the family a new door for free. I am just so proud of them. I am just so proud of them.

Our communities don't have to bear this sadness of anti-Semitism and of degradation by those who really don't

get what this country is made of. I know the Trump White House statement on the Holocaust falls far short of the administration's ability to properly recognize and record history accurately.

The Trump White House has the means to hire appropriate staff to prepare thoughtful, carefully researched statements, and their 2017 statement is out of touch with history. History teaches us that wherever anti-Semitism has gone unchecked, the persecution of others has been present or not far behind. Presenting historical truth and defeating anti-Semitism must be a cause of great importance not only for Jews but also for us, for people who value liberty, truth, free expression of religion, justice for all. I know that is the vast majority of the American people.

GENERAL LEAVE

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of our Special Order this evening.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. KAPTUR. I want to thank Mr. BRENDAN F. BOYLE of Pennsylvania also for coming to the floor this evening. If there is any remaining time, I would just like to read a couple of the sentences of Congressman BOYLE's remarks because they are so incredible.

He talks about Deborah Lipstadt, an American historian and author of influential books such as ''Denying the Holocaust,'' who wrote an important article in The Atlantic, entitled, ''The Trump Administration's Flirtation With Holocaust Denial.''

He talks about "'hardcore Holocaust denial.' In this type of rhetoric, anti-Semites argue that the Holocaust simply did not occur; that there was no systematic plan to destroy the Jewish people based solely on their religion.

''This type of hate speech has unfortunately been espoused by those who seek to delegitimize the suffering of the Jewish people since the Holocaust began.''

But he talks about a more insidious form of denial in rhetoric that has begun to creep into our national discussion. Lipstadt terms this "'softcore Holocaust denial.' This form of denial, argues Lipstadt, uses different tactics but has the same end-goal. . . . It does not deny the facts, but it minimizes them, arguing that Jews use the Holocaust to draw attention away from criticism of Israel. . . .

''Softcore denial also includes Holocaust minimization, as when someone suggests it was not so bad. Softcore denial, then, is potentially more insidious than our traditional form of denial, by minimizing the suffering of the Jewish people and suggesting that while the Holocaust may have occurred, it was not just about the Jews per se.''

I appreciate those listening this evening and am very grateful to have this privilege of entering into the RECORD materials we believe important not only to our Republic, but to free people everywhere.

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

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, recently, Deborah Lipstadt, American historian and author of influential books such as Denying the Holocaust, wrote an important article in The Atlantic. In this article, entitled "The Trump Administration's Flirtation with Holocaust Denial," Lipstadt specifies an important distinction in types of Holocaust denial.

Most people are familiar with what Lipstadt identifies as "hardcore Holocaust denial." In this type of rhetoric, anti-Semites argue that the Holocaust simply did not occur; that there was no systematic plan to destroy the Jewish people based solely on their religion.

This type of hate speech has unfortunately been espoused by those who seek to delegitimize the suffering of the Jewish people since the Holocaust began. It is not acceptable and we must do all we can to teach our children the tragic events of the Holocaust and how to counter such hateful rhetoric.

Yet, perhaps a more insidious form of denial rhetoric has begun to creep into our national discussion.

This is what Lipstadt terms "softcore Holocaust denial." This form of denial, argues Lipstadt, "uses different tactics but has the same end-goal . . . It does not deny the facts, but it minimizes them, arguing that Jews use the Holocaust to draw attention away from criticism of Israel . . . .

"Softcore denial also includes Holocaust minimization, as when someone suggests it was not so bad." Softcore denial, then, is potentially more insidious than our traditional form of denial, by minimizing the suffering of the Jewish people and suggesting that while the Holocaust may have occurred, it was not about the Jews per se.

By minimizing the suffering of the target of the Holocaust and the six million Jews who perished at the hands of the Nazis, we are denying the truth and setting ourselves up to forget the worst genocidal massacre in human history.

What is more disgusting and unacceptable, though, is that the President of the United States is now espousing these dangerous and hateful ideas.

By refusing time and again to acknowledge that Jews were the targets and victims of the Holocaust, our President is denying the truth of the Holocaust and is aiding and abetting the Holocaust deniers and White Nationalists in their goals of once again persecuting individuals based on their ethnicity, religion, race, etc.

We must do better. I call on the President to recall his statement and make clear that the Holocaust was a systematic persecution of the Jewish people.

Anything less than this outright admission is Holocaust denial.

AMERICA 2.0

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Ohio (Mr. RYAN) for 30 minutes.

Mr. RYAN of Ohio. Mr. Speaker, I appreciate the opportunity. I just want to say thank you to the gentlewoman from Ohio (Ms. KAPTUR) for her great words and Congressman CROWLEY, who was here a little bit earlier, for his good words as well.

I am starting tonight a segment that I am calling America 2.0. I think we are in the midst of, obviously, some chaos in the United States, in Washington, D.C., and in so many communities across the country that feel we are disoriented with our politics, disconnected from our politics, and we are disoriented around the idea of what is happening in our economy. Globalization, automation, all of these things have dramatically affected the American economy and American wages and standard of living.

We have actually seen, Mr. Speaker, over the course of the last 20 years, a huge decline, a sucking out of middle class wages that have gone primarily to the top 1 percent. Now, I am not here to bash rich people. I am not here to make any enemies, but I think it is important and instructive for us to look at where we were and where we are now.

If you look at where we were in 1980, of all the income growth in the Nation in 1980, 70 percent of all income growth went to the bottom 90 percent of Americans. So we had some significant income growth, and 70 percent of it went to the bottom 90 percent, 30 percent went to the top 10 percent. The wealthy were getting more, but the middle class, the upper middle class and the lower middle class, the bottom 90 percent saw 70 percent of the gains.

Fast forward from the early 1990s until just recently just a few years back, the bottom 90 percent, Mr. Speaker, got zero percent of the income growth that happened in the United States—zero. So the economy in 1980, for average families in Youngstown, Ohio, or Struthers, Ohio, or Akron, Ohio, saw that hard work paid off; that if you worked hard, you played by the rules, you did what you were supposed to do, and if you were in the bottom 90 percent, you saw some income gains. Fair enough.

Where the anxiety has come in now is that people are working harder, they are working longer hours, and they are not seeing any growth in their incomes. We have teachers, for example, in the Youngstown City Schools who have not seen a cost-of-living raise in 9 years—9 years. Police and fire, people who cut hair, people who are waitresses, people who take showers after work instead of before work, those people aren't getting ahead, and the cost of everything is going up. So that is where we are, erosion of our manufacturing base and globalization and automation.

I was just looking at an article earlier about a new Amazon project—I

think it is called Amazon Go—where you can actually go into a grocery store—how cool is this? You can actually go into a grocery store and shop and pick out whatever it is that you want at the grocery store and walk out. Everything gets rung up, scans and all the rest, and you get billed, and you pay your bill.

Now, here we are in 2017, that is pretty cool stuff. The downside of that is, there are 2.7 million workers who work at grocery stores. Where I come from, some of those grocery stores are actually unionized where the person at the counter actually makes a pretty good wage and has a pension and has a decent healthcare plan, standing on their feet all day long, probably not the easiest line of work to be in, but people go there and they work hard. Those jobs are going to be gone.

We hear all this technology about driverless cars and driverless trucks. Youngstown is not too far from Pittsburgh, and Ford just committed a billion dollars to Pittsburgh to advance driverless vehicles. Uber is in Pittsburgh talking about investing in the research and development for driverless vehicles. It is going to be great. The downside is, in about 25, 26, 27 States, the number one job is driving a truck. It is driving a truck. Pretty cool that my son, who is going to be 3 in June, may never have to drive a car. As a parent who also has a 13- and 14-year-old at home and talking about when they are going to get the keys to the car, I kind of like the idea of a driverless car. I kind of like that. At that point, it would be pretty safe.

But we have the downside to that, which is the loss of all of these jobs. So what we need to do as a country, as a dynamic country, as a wealthy country, as a creative country is we need to figure out what is America 2.0 because this isn't your dad's or your grandfather's America. This isn't going to be your grandmother's America or even your mother's America.

Things are accelerating so quickly that as a legislative body that was designed to be slow, and those of us operating in a political system that was designed to slow things down, we didn't want a concentration of power where a king ruled. We took that, and we divided the power up into a legislative branch, and then divided that up between the House and the Senate and the executive branch. The executive branch has some powers, and they have got to figure out how to work with each other. If they have got a problem, we have got a judicial branch that is going to reference the Constitution of the country to make sure that everything that is going on is abiding by the basic values on which we started the country. Pretty cool system, elections every 2 years, replenish the ideas in the legislative branch, and every 4 years in the executive branch, so we can try to get some new ideas. But the system was designed to be slow.

So here we are, working within a system that is designed to be slow with an economy that is going 150 miles an hour down the highway, which means the legislators and the President and the Governors and the people elected to office, we better get our act together. We better figure out how to make things work because that is what we owe our constituents. That is what we owe that family who, for 30 years, hasn't seen a raise. You know what? They want to send their kid to college.

□ 2000

Do you know what? They want to have a job, they want to have a pension, they want to have a secure retirement, and they want their kid to have more opportunity than they had. They are not going to complain, they are not going to moan, they are going to put their boots on, and they are going to go to work. It is our job to help create an environment where they can go and take advantage of those opportunities.

God helps those that help themselves. You have got to go to work and you have got to put the time in. It is not going to be easy, especially in this economy. It is going to be tough. It seems like it is going to get harder.

But with all of this automation coming down the pike, what are we going to do as a country with all of these people in my district that are 50-year-old men who used to work in a steel mill, now it is closed, or used to work in an auto plant that used to have 16,000 people working there and now it is down to 3,000, or the supplier to that auto plant that used to have 13,000 people and now it is 1?

So we can say, yeah, pull yourself up by your boot straps and work hard. The jobs aren't there. They are not there anymore.

So what are we going to do here in 2017? How are we going to get our President with his good brain that he has to sit down with us and figure out what we are going to do? So America 2.0 is: What is the next version of this great country, what is the next version, to where my grandfather could be a steelworker and a couple of generations later his grandkids are doctors, lawyers, and Congressmen?

That is what is important about these jobs we have. That is why they shouldn't be taken lightly. That is why instead of tweeting about some show or some family business, you should be focused like a laser beam on how we fix these problems. If you are not, you are not doing what you said you were going to do.

America 2.0 is a series of ideas. I will share a few tonight and a few over time on what I think we need to do. We have a near-term problem, mid-term, and long-term, some of what I mentioned.

The near-term problem is wages, jobs, and workforce participation. Workforce participation rates are at 63 percent. They are still too low. People aren't just employed, they are underemployed. They are making less today than they were before the great crash in 2008, 2009, and 2010.

So what are we going to do? I know we have talked a lot about we are going to retrain. It is going to be great. We are going to get you this job, and you are going to be trained up and ready to take it.

What job?

We need to create jobs. And it just so happens we need to rebuild the country. So let's make the investment to put people back to work by rebuilding the country. We need waterlines. We need new sewer lines. We have lead in our pipes that people are drinking. We have old dilapidated homes all over older communities that need to be taken down. Even if we are going to put up just parks and green space, take those down. Those are all jobs that could be created. We need roads and new bridges. Most bridges are deficient in the United States. A good many of them need to be rebuilt. We need steel in those bridges, and we need concrete.

So let's do a big jobs bill where we rebuild the country. I am not making stuff up. We have got to do this. Let's put Buy American provisions in there so we put the American steelworker back to work, and the people that work at the concrete plants in America get the money, get the contract.

Those private businesses that do the roads and bridges and all of the rest, let's make sure it is Davis-Bacon, it is a prevailing wage, so that our friends who work so hard and are so skilled in the unions are able to get that work because they have a good pension, a good wage, a good retirement plan, good healthcare benefits, and they are the most skilled workers in the country. Let's make sure they get the work so we are actually lifting people up; and get people in these unions so that more people can earn a good wage, have a secure retirement and a little bit less anxiety.

So roads, bridges, pipes, airports, ports on the ocean, rebuild them. This is nobody's fault. The country is getting older. A lot of this stuff was done 50, 60, 70 years ago. It is time to reinvest. It is time to put a new roof on the house. We will put people back to work.

For every $1 billion we spend on infrastructure, we put about 27,000 people to work. So if we have a $1 trillion infrastructure plan and we ask the wealthiest people in the country—maybe people in the capital markets who have seen a significant amount of wage growth, we ask them to help us pay for it so we don't have to borrow the money and put it on the backs of our kids.

So we are putting people back to work, we are doing what needs to be done, we are using American steel and American concrete and American union workers and having more people join the union so more people can have a secure living, and we are creating jobs. That is step one.

What also needs to be included in this is: How are we setting ourselves up for success in the next 10, 20, or 30

years? How are our kids going to be able to operate in this bridge we are creating to this new economy?

One of the things we need to do is we need to wire the country. We need to have the most sophisticated, broadband capabilities in every corner of the country so that every community can participate in the new economy that is driven by a digital world.

We have companies, for example, in Youngstown, where we don't have a whole lot of broadband in Youngstown. We don't have a whole lot of penetration for broadband in Youngstown. We have companies that are very sophisticated that try to get defense work or work with defense contractors that actually are put at a disadvantage because they don't, and we don't, have the broadband capability for them to be able to download the kind of files they need to be able to download in order to get the contracts they need to do the advanced manufacturing work. So not having broadband in your community would be like not having a road going in and out of your community, or waterlines going in and out of your community 50, 60, 70 years ago.

Do you want to start a factory and create jobs? How are you going to get the raw materials in and the product out if you don't have a road? The same concept with broadband in a 2017, 2027, 2037, 2047 economy. So this is a great investment.

The World Bank has studied this. They have said that every 10 percentage-point increase in broadband penetration equals 1.2 percent growth in your GDP. So you are making these investments and you are growing your economy at the same time.

I think we go to these coal miners who have been put out of work, we go to the steelworkers who have been put out of work, we go to the autoworkers who have been put out of work through the deindustrialization, through globalization and automation, and we say: You are hired. You are going to get on-the-job training. This isn't going to be: We are going to train you for some job that may or may not come. You are hired in America 2.0. You are going to work. You are going to lay broadband.

We need to upgrade our energy grids. We need smart grids that are more efficient, more secure, and less prone to terrorist attacks—more efficient, can communicate with the end user better so you know how much money you are spending when you wash your clothes. And you may go off hour so you can wash them at a different time and save a little money on your energy bill, money in your pocket because we make these investments.

You are going to work now on the smart grid. You are hired. And this country, as wealthy as we are, we are going to pay for it. We are going to build it, and we are going to change the trajectory of our country, and we are going to be ready to play ball in the economy.

So these workers that we are hiring that may be 50 or 55 years old, they don't know how they are going to get to retirement, they are hired. They are hired. And this is no make-work job because we feel bad for you. This is a job we need you to have in order for you to change the trajectory of our country for your kids and for your grandkids. If we don't make these investments, if we don't make this happen, America is going to be bringing up the rear.

We have got a great dynamic economy still, even with the stagnation that we have. We have just got to make a few key investments and not get caught up in this polarized political discussion that is getting us nowhere. Nobody in this Chamber suffers. Everybody in this Chamber draws a paycheck. They have got a job.

It is the family in Youngstown, it is the family in Gary, Indiana, it is the family in Milwaukee that suffers because we have failed to make the basic investments that this country has always made—always: the interstate highway, the intercontinental railroad, land grant colleges, NASA, the space program. Look at all of the technologies that spun out of NASA—in health, telecommunications, energy—because we said, ''We are going to the Moon''; and it was as much about going to the Moon and about spinning off new technologies and saying, ''We can figure out how to go to the Moon'' because we were committed, as a country, to do great things.

And now we are committed to tweeting about some nonsensical show that is on TV or some backhanded comment that somebody gives. There is too much at stake. Every time we do that, we fall further and further and further behind.

One other piece of America 2.0, and the final piece or two I will share tonight, is green energy, resuscitating manufacturing in the United States. How do we do it?

I know we have discussions here about climate change. Some people say it is not happening. Some people say it is not man made. It is an important point to make that 98 percent of scientists who have reviewed all of the literature on this say it is happening and it is caused by man. I think that is an important point. But let's set that aside.

How do we help people with their energy bill and how do we resuscitate manufacturing in the United States? I believe that, if we move towards a green economy, we will have a renaissance in manufacturing, and let me tell you why. Because for every windmill that we put up, there are 8,000 component parts to the windmill: gearshifts, hydraulics, steel, aluminum, plastics, all kinds of things, bolts. There is a sidewalk mile of concrete in a windmill.

□ 2015

These are things we make in this country. These are things we make in northeast Ohio. Talk to Timken; talk to Parker Hannifin; talk to some of these energy companies that make solar panels. That stuff needs manufacturing. And we can do it here in the United States with the smart energy grid, and broadband, and use renewable energy to increase our manufacturing base, reduce our carbon footprint in our country and around the world, export the technologies and the stuff that we make, and put people back to work.

What is the matter with this? What is wrong with this picture?

We have a country now that is more reliable on renewable energy, that is increasing our manufacturing base, that is putting people back to work.

To me, that makes a lot of sense. So these families that are struggling—because we will be making a heck of a lot more solar panels than we are now—we can start getting these solar panels up on people's homes and reducing their energy cost. So if we do the smart grids and we do the solar panels, and we start reducing people's energy costs in their homes, you are putting money in their pocket, you are starting to close that gap a little bit, you are starting to reduce that anxiety a little bit, and you are starting to get us into new technologies and new ideas that are going to lead to growth.

So let's build out the country. Let's build out our roads, bridges, ports, and airports. Let's extend broadband to every corner of the country and hire Americans to go do this work. Let's redo our grid and extend it so that we can get this renewable energy all across the country; put people to work doing that; resuscitate our manufacturing base; and change the trajectory of our country so that our kids are wired, prepared, and living in a country that is ready to lead the world again in some of the great challenges that face us.

That is the outline of America 2.0. In my mind, that is the direction we need to go in. It starts, Mr. Speaker, by getting people back to work, by us getting focused and being disciplined, and talking about the things and figuring out how to work out the deals that need to be worked out here in order to help those people back home.

That is our obligation because the generations before us—whether it was the Intercontinental Railroad, or the social justice movement, or the equality movement, or the interstate highway, or the land-grant colleges, or NASA—gave us a pretty good world to grow up in. And now it is our obligation to take this to the next level and create the next version of America.

Create America 2.0.

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

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 255. An act to authorize the National Science Foundation to support entrepreneurial programs for women.

H.R. 321. An act to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach.

ADJOURNMENT

Mr. RYAN of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 16, 2017, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2016, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Ileana Ros-Lehtinen	10/29	10/30	Haiti		226.00		439.56				665.56
Edward Acevedo	10/28	10/30	Haiti		236.00		1,077.61				1,313.61
Sadaf Khan	10/28	10/30	Haiti		512.00		1,064.16				1,576.16
Douglas Seay	10/17	10/19	Latvia		303.37		1,388.06				1,691.43
	10/19	10/21	Lithuania		400.44						400.44
Sarah Blocher	10/17	10/19	Latvia		411.55		1,388.06				1,799.61
	10/19	10/21	Lithuania		617.40						617.40
Jason Steinbaum	10/17	10/19	Latvia		437.13		3,182.46				3,619.59
	10/19	10/21	Lithuania		408.66						408.66
Scott Cullinane	10/23	10/25	Belgium		558.00		3,089.76				3,647.76
	10/25	10/28	Italy		863.00						863.00
Philip Bednarczyk	10/23	10/25	Belgium		578.00		3,696.16				4,274.16
	10/25	10/28	Italy		888.00						888.00
Kyle Parker	10/23	10/25	Belgium		578.00		3,166.56				3,744.56
	10/25	10/28	Italy		888.00						888.00
Hon. Eliot L. Engel	12/19	12/21	Israel		1,117.00		11,111.79				12,228.79
Mira Resnick	12/19	12/21	Israel		1,119.00		10,404.39				11,523.39
Hon. Eliot L. Engel	11/19	11/20	Dominican Republic		276.00		380.56				656.56
Hon. Lee Zeldin	12/26	12/26	Qatar				7,560.36				7,560.36
	12/27	12/28	Afghanistan		33.00		(3)				33.00
	12/28	12/29	Qatar		388.61						388.61
Kristen Marquardt	10/29	10/30	Bahrain		315.00		5,065.86				5,380.86
	10/30	11/2	United Arab Emirates		1,561.00						1,561.00
	11/2	11/4	Oman		1,165.09						1,165.09
Matthew Zweig	10/29	10/30	Bahrain		315.00		5,065.86				5,380.86
	10/30	11/2	United Arab Emirates		1,561.00						1,561.00
	11/2	11/4	Oman		1,120.09						1,120.09
Mira Resnick	10/30	11/2	United Arab Emirates		1,530.77		5,350.66				6,881.43
	11/2	11/4	Oman		965.40						965.40
Thomas Hill	10/9	10/11	South Korea		849.84		7,527.92				8,377.76
	10/11	10/13	Taiwan		530.89						530.89
	10/13	10/15	Thailand		492.05				* 435.27		927.32
Hunter Strupp	10/9	10/11	South Korea		708.17		5,206.56				5,914.73
	10/11	10/13	Taiwan		532.40						532.40
	10/13	10/15	Thailand		483.97						483.97
Timothy Mulvey	10/9	10/11	South Korea		849.84		7,527.92				8,377.76
	10/11	10/13	Taiwan		530.89						530.89
	10/13	10/15	Thailand		492.05						492.05
Hon. Gerald Connolly	11/22	11/23	Turkey		353.00						353.00
Committee total					25,195.61		83,694.27		435.27		109,325.15

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
* Indicates Delegation Costs.

HON. EDWARD R. ROYCE, Chairman, Jan. 31, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Chris Smith	12/18	12/21	Iraq				11,735.42				11,735.42
Mark Milosch	12/18	12/21	Iraq				11,815.42				11,815.42
Erika Schlager	9/17	10/1	Poland	Zloty	3,808.00		11,395.56				15,203.56
	10/16	10/21	Austria	Euro	1,610.00		12,244.26				13,854.26
	12/4	12/10	Germany	Euro	1,758.00		12,190.46				13,948.46
Janice Helwig	9/18	10/1	Poland	Zloty	3,536.00		2,048.60				5,584.60
	10/1	12/31	Austria	Euro	29,624.00						29,624.00
	12/4	12/10	Germany	Euro	1,758.00		977.90				2,735.90
Robert Hand	9/28	10/3	Macedonia	Denar	786.00		2,433.46				3,219.46
Everett Price	10/3	10/13	Austria	Euro	5,108.47		6,368.32				11,476.79
			Turkey	Lira							
	12/18	12/21	Iraq				5,220.42				5,220.42
Alex Tiersky	10/15	10/21	Austria	Euro	1,932.00		1,821.26				3,753.26
Paul Massaro	10/15	10/22	Austria	Euro	2,254.00		2,008.76				4,262.76
Nathaniel Hurd	12/18	12/21	Iraq				9,170.42				9,170.42
Committee total					52,174.47		89,430.26				141,604.73

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Co-Chairman, Feb. 7, 2017.

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. HOYER (for himself, Mr. THOMAS J. ROONEY of Florida, Mr. ENGEL, Mr. KINZINGER, Mr. SCHIFF, Mr. SMITH of Washington, and Mr. TURNER):

H.R. 1059. A bill to provide for congressional oversight of actions to waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions with respect to the Russian Federation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Rules, and 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. COURTNEY (for himself, Mr. THOMPSON of Pennsylvania, and Mr. FASO):

H.R. 1060. A bill to amend the Higher Education Act of 1965 to include certain individuals who work on farms or ranches as individuals who are employed in public service jobs for purposes of eligibility for loan forgiveness under the Federal Direct Loan program; to the Committee on Education and the Workforce.

By Mr. CHAFFETZ (for himself, Mr. CONYERS, Mr. FARENTHOLD, Mr. POE of Texas, and Mr. WELCH):

H.R. 1061. A bill to amend title 18, United States Code, to regulate the use of cell-site simulators, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAFFETZ (for himself, Mr. CONYERS, Mr. POE of Texas, Mr. LYNCH, Mr. WELCH, Mr. LABRADOR, Mr. JORDAN, and Mr. ISSA):

H.R. 1062. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE (for himself, Mr. COFFMAN, Mr. JONES, Mr. PETERS, Miss RICE of New York, and Ms. TITUS):

H.R. 1063. A bill to ensure that an individual who is transitioning from receiving medical treatment furnished by the Secretary of Defense to medical treatment furnished by the Secretary of Veterans Affairs receives the pharmaceutical agents required for such transition; to the Committee on Veterans' Affairs.

By Mr. O'ROURKE (for himself and Mr. JONES):

H.R. 1064. A bill to authorize an individual who is transitioning from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs to continue receiving treatment from such individual's mental health care provider of the Department of Defense, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. MESSER (for himself, Mr. SCHRADER, Mr. CARTWRIGHT, Mr. DESJARLAIS, Mr. SWALWELL of California, Mr. O'ROURKE, Mr. ROE of Tennessee, Mr. MOULTON, Mr. RODNEY DAVIS of Illinois, Mr. DELANEY, Mr. ZELDIN, Mr. STIVERS, Mr. LOBIONDO, Mr. RUSSELL, Mr. MARSHALL, Mrs. WALORSKI, Ms. SINEMA, Mr. WITTMAN, Ms. GABBARD, Mr. SOTO, Mr. WALZ, Mr. DUFFY, Mr. PETERS, Mr. BUCSHON, Mr. SENSENBRENNER, Mr. DESAULNIER, Mr. DEFAZIO, Mr. BOST, Mr. COOPER, Mr. FRANKS of Arizona, Mr. COOK, Mr. GOHMERT, Mr. HULTGREN, Mr. PITTENGER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COSTELLO of Pennsylvania, Mr. GUTHRIE, Mr. HILL, Ms. STEFANIK, Mr. MOONEY of West Virginia, Mr. JONES, Mr. UPTON, Mr. KATKO, Mr. GOODLATTE, Mr. COLLINS of New York, Mrs. BLACKBURN, Mrs. BUSTOS, and Ms. JENKINS of Kansas):

H.R. 1065. A bill to establish biennial budgets for the United States Government; to the Committee on the Budget, and in addition to the Committees on Oversight and Government Reform, and 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. KILMER (for himself and Mr. NEWHOUSE):

H.R. 1066. A bill to direct the Secretary of Veterans Affairs to submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report regarding the organizational structure of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SENSENBRENNER:

H.R. 1067. A bill to amend section 524(c) of title 18, United States Code, to use lawfully forfeited drug seizures to increase border security; to the Committee on the Judiciary.

By Mr. PALLONE (for himself, Mr. TONKO, Mr. CÁRDENAS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BLUMENAUER, Ms. DELAURO, Mrs. DINGELL, Ms. MATSUI, Ms. DEGETTE, and Mr. MCNERNEY):

H.R. 1068. A bill to enable needed drinking water standards, reduce lead in drinking water, plan for and address threats from climate change, terrorism, and source water contamination, invest in drinking water infrastructure, increase compliance with drinking water standards, foster greater community right to know about drinking water quality, and promote technological solutions for drinking water challenges; to the Committee on Energy and Commerce.

By Mrs. LAWRENCE (for herself, Mr. LANGEVIN, Ms. BASS, Mrs. NAPOLITANO, Ms. NORTON, and Ms. WILSON of Florida):

H.R. 1069. A bill to amend part B of title IV of the Social Security Act to ensure that mental health screenings and assessments are provided to children and youth upon entry into foster care; to the Committee on Ways and Means.

By Mr. CALVERT:

H.R. 1070. A bill to amend the Fair Labor Standards Act of 1938 to provide that an employee's 'regular rate' for purposes of calculating overtime compensation will not be affected by certain additional payments; to the Committee on Education and the Workforce.

By Mr. TONKO (for himself, Mr. PALLONE, Ms. MATSUI, Ms. NORTON, Mr. BLUMENAUER, Mr. CÁRDENAS, Mr. SARBANES, Mrs. DINGELL, Mr. MCNERNEY, Ms. ESHOO, Mr. GENE GREEN of Texas, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. SCHAKOWSKY, Mr. PETERS, Mr. WELCH, Ms. DEGETTE, and Ms. CASTOR of Florida):

H.R. 1071. A bill to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; and for other purposes; to the Committee on Energy and Commerce.

By Mr. SANFORD (for himself, Mr. DUNCAN of South Carolina, Mr. MEADOWS, Mr. GOSAR, Mr. GARRETT, and Mr. MOONEY of West Virginia):

H.R. 1072. A bill to repeal provisions of the Patient Protection and Affordable Care Act and provide private health insurance reform, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEYER (for himself and Mr. COOK):

H.R. 1073. A bill to authorize the Secretary of the Interior to establish a structure for visitor services on the Arlington Ridge tract, in the area of the U.S. Marine Corps War Memorial, and for other purposes; to the Committee on Natural Resources.

By Mr. BLUM (for himself, Mr. YOUNG of Iowa, Mr. LOEBSACK, and Mr. KING of Iowa):

H.R. 1074. A bill to repeal the Act entitled ''An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation''; to the Committee on Natural Resources.

By Ms. CLARKE of New York (for herself, Mr. SOTO, Mr. BROWN of Maryland, Ms. NORTON, Ms. BASS, Mr. KIHUEN, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mr. VEASEY, Mr. EVANS, Mr. BUTTERFIELD, Mr. MEEKS, Mr. CLEAVER, Mrs. DEMINGS, Ms. KELLY of Illinois, Mr. LAWSON of Florida, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1075. A bill to provide that the Executive Order entitled ''Protecting the Nation from Foreign Terrorist Entry into the United States'' (January 27, 2017) shall have no force or effect, to prohibit the use of Federal funds to enforce the Executive Order, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Homeland Security, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE of New York (for herself, Ms. VELÁZQUEZ, Mr. DANNY K. DAVIS of Illinois, Ms. NORTON, Ms. BASS, Mr. ESPAILLAT, Mr. SOTO, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mr. EVANS, Mr. BUTTERFIELD, Mr. MEEKS, Mr. CLEAVER, Mrs. DEMINGS, Ms. BLUNT ROCHESTER, Ms. KELLY of Illinois, Mr. LAWSON of Florida, Mr. DAVID SCOTT of Georgia, Mr. LEWIS of Georgia, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. BEATTY):

H.R. 1076. A bill to provide that section 9 of Executive Order 13768, relating to sanctuary jurisdictions, shall have no force or effect, to prohibit the use of funds for certain purposes, and for other purposes; to the Committee on the Judiciary, 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. COHEN (for himself, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, and Mr. SCOTT of Virginia):

H.R. 1077. A bill to amend title 31, United States Code, to direct the Secretary of the Treasury to regulate tax return preparers; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Ms. JENKINS of Kansas, Mr. MCGOVERN, Mr. YOUNG of Alaska, and Mr. WALZ):

H.R. 1078. A bill to amend title 37, United States Code, to exclude the receipt of basic allowance for housing for members of the Armed Forces in determining eligibility for certain Federal benefits, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Agriculture, 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. ELLISON (for himself, Mr. SERRANO, Mr. GRIJALVA, and Ms. JUDY CHU of California):

H.R. 1079. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to disclose their concealed carry or open carry policies with respect to firearms, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ELLISON (for himself, Mr. SCOTT of Virginia, Ms. ADAMS, Mr. CONYERS, Ms. LEE, Mr. PAYNE, and Ms. MOORE):

H.R. 1080. A bill to amend the Securities Act of 1933 and the Internal Revenue Code of 1986 to provide an exemption and payments from taxation for 501(c)(3) bonds issued on behalf of a historically Black college or university; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, 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. EMMER:

H.R. 1081. A bill to eliminate the discretion of the Secretary of Homeland Security regarding the definition of the term ''official purpose'' as it applies to drivers' licenses and personal identification cards, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GUTHRIE (for himself and Mr. MULLIN):

H.R. 1082. A bill to amend title XIX of the Social Security Act to eliminate the State option to reduce the home equity exemption amount for purposes of eligibility for long-term care assistance under Medicaid, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUFFMAN (for himself, Ms. BONAMICI, Ms. LOFGREN, Mrs. NAPOLITANO, Mr. GARAMENDI, Ms. LEE, Mr. THOMPSON of California, Mr. VARGAS, Mr. TED LIEU of California, Mr. TAKANO, Mr. MEEKS, and Mr. CONYERS):

H.R. 1083. A bill to establish an American Savings Account Fund and create a retirement savings plan available to all employees, and for other purposes; to the Committee on Ways and Means.

By Ms. KELLY of Illinois (for herself, Mr. POCAN, Mr. EVANS, Ms. LEE, Ms. SLAUGHTER, Mr. SWALWELL of California, Mr. HASTINGS, Mr. BUTTERFIELD, Mr. CARTWRIGHT, Ms. NORTON, Mrs. LAWRENCE, Ms. MOORE, Mr. RICHMOND, Mr. KHANNA, Mr. SCOTT of Virginia, Ms. CLARKE of New York, Mr. CLEAVER, Mr. MEEKS, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. SEWELL of Alabama, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RYAN of Ohio, Ms. KUSTER of New Hampshire, Mr. GUTIÉRREZ, and Mr. TONKO):

H.R. 1084. A bill to address slow economic growth and spur investment and development in underserved communities across America; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Agriculture, Financial Services, Small Business, Energy and Commerce, the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 1085. A bill to withdraw certain Bureau of Land Management land from mineral development; to the Committee on Natural Resources.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 1086. A bill to require executive agencies to notify the public and consider public comment before relocating an office of the agency that has regular contact with the public, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 1087. A bill to establish a pilot program in certain agencies for the use of public-private agreements to enhance the efficiency of Federal real property; to the Committee on Transportation and Infrastructure, 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. NADLER (for himself, Mr. MEEKS, Ms. CLARKE of New York, Mr. JEFFRIES, and Mr. ESPAILLAT):

H.R. 1088. A bill to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, and for other purposes; to the Committee on Natural Resources.

By Mr. POLIS (for himself, Mr. TIPTON, Mr. BLUMENAUER, and Mr. WALDEN):

H.R. 1089. A bill to amend the Internal Revenue Code of 1986 to ensure that kombucha is exempt from any excise taxes and regulations imposed on alcoholic beverages; to the Committee on Ways and Means.

By Mr. REED (for himself, Mr. MEEHAN, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. FASO, Mr. LARSON of Connecticut, Mr. TONKO, Mr. POCAN, Mr. CÁRDENAS, Mr. ROKITA, Mr. MULLIN, Mr. KIND, Mr. COLE, Mrs. LOVE, Mr. REICHERT, Mr. LOBIONDO, Mr. BLUM, Mr. CURBELO of Florida, Mr. YOUNG of Iowa, and Mr. COSTELLO of Pennsylvania):

H.R. 1090. A bill to amend the Internal Revenue Code of 1986 to extend the credit for residential energy efficient property and the energy credit; to the Committee on Ways and Means.

By Mr. RENACCI (for himself, Mr. BUCSHON, and Mr. KILMER):

H.R. 1091. A bill to amend certain provisions of the Social Security Act relating to demonstration projects designed to promote the reemployment of unemployed workers; to the Committee on Ways and Means.

By Mr. RYAN of Ohio (for himself, Mr. REED, and Mr. LIPINSKI):

H.R. 1092. A bill to establish the United States Chief Manufacturing Officer in the Executive Office of the President with the responsibility of developing a national manufacturing strategy to revitalize the manufacturing sector, spur economic growth, and expand United States competitiveness, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SIRES (for himself and Mr. PAYNE):

H.R. 1093. A bill to require the Federal Railroad Administration and the Federal Transit Authority to provide appropriate Congressional notice of safety audits conducted with respect to railroads and rail transit agencies; to the Committee on Transportation and Infrastructure.

By Ms. SLAUGHTER (for herself, Mr. GARAMENDI, Mr. SWALWELL of California, Mr. LARSON of Connecticut, Mr. CLYBURN, Mr. TONKO, Mr. KIHUEN, Mr. HASTINGS, Ms. DELAURO, Mr. POCAN, Mr. LEWIS of Georgia, Ms. MENG, Mr. ELLISON, Ms. MCCOLLUM, Mr. TED LIEU of California, Ms. CASTOR of Florida, Mr. POLIS, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Ms. SPEIER, Mr. DEFAZIO, Mr. BEYER, and Mrs. NAPOLITANO):

H.R. 1094. A bill to change the date for regularly scheduled general elections for Federal office to the first Saturday and Sunday after the first Friday in November in every even-numbered year; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself and Mr. MCGOVERN):

H.R. 1095. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes; to the Committee on Foreign Affairs, 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. STEWART (for himself, Mr. LONG, Mr. ROSKAM, Mr. TIPTON, Mr. CHAFFETZ, Mr. PEARCE, Mr. MCCLINTOCK, Mr. BISHOP of Utah, and Mr. BURGESS):

H.R. 1096. A bill to amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund; to the Committee on the Judiciary.

By Mr. TAKANO (for himself and Mr. BISHOP of Georgia):

H.R. 1097. A bill to increase consumer protection with respect to negative option agreements entered into on the Internet, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. REED, Mr. KELLY of Pennsylvania, Mr. MEEHAN, Mr. MCKINLEY, Mr. KIND, Mr. HIGGINS of New York, Mr. SMITH of Missouri, Mr. PAULSEN, Mr. BLUMENAUER, Mr. DANNY K. DAVIS of Illinois, Mr. THOMPSON of California, Mr. PASCRELL, Ms. SEWELL of Alabama, Mr. LARSON of Connecticut, Ms. SÁNCHEZ, Mr. TURNER, Mr. JOYCE of Ohio, Mr. JOHNSON of Ohio, Mr. STIVERS, and Mr. RENACCI):

H.R. 1098. A bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes; to the Committee on Ways and Means.

By Mr. WITTMAN (for himself and Mr. THOMPSON of California):

H.R. 1099. A bill to extend the authorization of appropriations for allocation to carry out approved wetlands conservation projects

under the North American Wetlands Conservation Act through fiscal year 2022; to the Committee on Natural Resources.

By Mr. ZELDIN (for himself and Ms. GABBARD):

H.R. 1100. A bill to amend title 38, United States Code, to eliminate copayments by the Department of Veterans Affairs for medicines relating to preventive health services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. POCAN (for himself, Mr. ELLISON, Mr. LEWIS of Georgia, Mr. RYAN of Ohio, Mr. TAKANO, Ms. NORTON, Mr. COHEN, Ms. KAPTUR, Mr. CUMMINGS, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. MOORE, Mr. CARTWRIGHT, Mr. GARAMENDI, Mr. LOWENTHAL, Mrs. WATSON COLEMAN, Ms. WASSERMAN SCHULTZ, Mr. DESAULNIER, Ms. SLAUGHTER, Mr. NORCROSS, Mr. MCGOVERN, Mr. BLUMENAUER, Ms. JUDY CHU of California, Mr. JEFFRIES, Mr. VEASEY, Mr. CONYERS, Mr. GRIJALVA, and Ms. ROYBAL-ALLARD):

H.J. Res. 74. A joint resolution proposing an amendment to the Constitution of the United States regarding the right to vote; to the Committee on the Judiciary.

By Mr. DEFAZIO:

H.J. Res. 75. A joint resolution to amend the War Powers Resolution; to the Committee on Foreign Affairs, 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 Ms. ADAMS (for herself, Ms. VELÁZQUEZ, Ms. MOORE, Ms. CLARKE of New York, Mr. HASTINGS, Mr. MCGOVERN, and Mr. SOTO):

H. Con. Res. 25. Concurrent resolution expressing the sense of Congress on the admission of refugees and immigrants to the United States; to the Committee on the Judiciary.

By Mr. ADERHOLT (for himself, Mr. CULBERSON, and Mr. SMITH of Texas):

H. Con. Res. 26. Concurrent resolution to express the sense of Congress that the first launch of the Space Launch System should be named for Captain Eugene Andrew ''Gene'' Cernan; to the Committee on Science, Space, and Technology.

By Mr. LOWENTHAL (for himself, Mr. REICHERT, and Mr. GRIJALVA):

H. Con. Res. 27. Concurrent resolution expressing the sense of Congress that America's Federal public lands are national treasures that belong to all Americans; to the Committee on Natural Resources.

By Mr. CROWLEY:

H. Res. 127. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. SMITH of New Jersey (for himself, Ms. BASS, Mr. COFFMAN, Ms. KELLY of Illinois, Mr. VEASEY, and Mr. ELLISON):

H. Res. 128. A resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia; to the Committee on Foreign Affairs.

By Mr. SAM JOHNSON of Texas:

H. Res. 129. A resolution calling on the Department of Defense, other elements of the Federal Government, and foreign governments to intensify efforts to investigate, recover, and identify all missing and unaccounted-for personnel of the United States; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, 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. DEFAZIO (for himself, Mr. COURTNEY, Mr. BLUMENAUER, Ms. BONAMICI, Mr. GARAMENDI, Mr. ELLISON, Ms. NORTON, Mr. POLIS, Ms. SHEA-PORTER, Ms. ROYBAL-ALLARD, and Ms. DELAURO):

H. Res. 130. A resolution supporting efforts to increase competition and accountability in the health insurance marketplace, and to extend accessible, quality, affordable health care coverage to every American through the choice of a public insurance plan; to the Committee on Energy and Commerce.

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. HOYER:

H.R. 1059.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying the execution of the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. COURTNEY:

H.R. 1060.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CHAFFETZ:

H.R. 1061.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses I and 3, and the 4th and 14th Amendments to the U.S. Constitution

By Mr. CHAFFETZ:

H.R. 1062.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 3, and the 4th and 14th Amendments to the U.S. Constitution.

By Mr. O'ROURKE:

H.R. 1063.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. O'ROURKE:

H.R. 1064.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MESSER:

H.R. 1065.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 9, clause 7 of the United States Constitution.

By Mr. KILMER:

H.R. 1066.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 1067.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. PALLONE:

H.R. 1068.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mrs. LAWRENCE:

H.R. 1069.

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 this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CALVERT:

H.R. 1070.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. TONKO:

H.R. 1071.

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 Officer thereof.

By Mr. SANFORD:

H.R. 1072.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. BEYER:

H.R. 1073.

Congress has the power to enact this legislation pursuant to the following:

Article 4, 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. BLUM:

H.R. 1074.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Ms. CLARKE of New York:

H.R. 1075.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I of the United States Constitution and its Subsequent ammendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. CLARKE of New York:

H.R. 1076.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I of the United States Constitution and its subsequent ammendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. COHEN:

H.R. 1077.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution and Amendment XVI of the United States Constitution

By Mrs. DAVIS of California:

H.R. 1078.

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 1, Section 8 of the United States Constitution.

By Mr. ELLISON:

H.R. 1079.

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. ELLISON:

H.R. 1080.

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. EMMER:

H.R. 1081.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 18

By Mr. GUTHRIE:

H.R. 1082.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

The 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 Mr. HUFFMAN:

H.R. 1083.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Ms. KELLY of Illinois:

H.R. 1084.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 1085.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 1086.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 1087.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution

By Mr. NADLER:

H.R. 1088.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1, 17, and 18.

By Mr. POLIS:

H.R. 1089.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution [Page H156].

By Mr. REED:

H.R. 1090.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RENACCI:

H.R. 1091.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution: The 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.

By Mr. RYAN of Ohio:

H.R. 1092.

Congress has the power to enact this legislation pursuant to the following:

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. SIRES:

H.R. 1093.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Ms. SLAUGHTER:

H.R. 1094.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section IV of the Constitution

By Mr. SMITH of New Jersey:

H.R. 1095.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 10

By Mr. STEWART:

H.R. 1096.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution gives Congress the authority to enact this legislation.

By Mr. TAKANO:

H.R. 1097.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. TIBERI:

H.R. 1098.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1.

By Mr. WITTMAN:

H.R. 1099.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. ZELDIN:

H.R. 1100.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. POCAN:

H.J. Res. 74.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 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. DEFAZIO:

H.J. Res. 75.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 31: Mr. RICE of South Carolina.

H.R. 38: Mr. FERGUSON.

H.R. 44: Mr. LANCE and Mr. GENE GREEN of Texas.

H.R. 82: Mr. WITTMAN.

H.R. 113: Mr. CLAY, Mrs. BEATTY, and Mr. ELLISON.

H.R. 140: Mr. SESSIONS.

H.R. 179: Mr. THOMPSON of Pennsylvania.

H.R. 198: Mr. SMUCKER.

H.R. 257: Mr. JODY B. HICE of Georgia.

H.R. 275: Mr. ROTHFUS and Mrs. DINGELL.

H.R. 305: Mr. KILMER.

H.R. 355: Mr. THORNBERRY.

H.R. 367: Mr. SCALISE.

H.R. 371: Mr. NORCROSS.

H.R. 392: Ms. LOFGREN, Mr. KINZINGER, Ms. SPEIER, Mr. LUCAS, Mr. PRICE of North Carolina, Mr. KIND, and Mr. DELANEY.

H.R. 400: Mr. BERGMAN and Mr. WILSON of South Carolina.

H.R. 415: Mr. AL GREEN of Texas, Ms. LEE, and Ms. MOORE.

H.R. 429: Mr. PETERS.

H.R. 476: Mr. AGUILAR, Mr. KILMER, Mr. MOULTON, and Miss RICE of New York.

H.R. 525: Mr. AUSTIN SCOTT of Georgia.

H.R. 530: Ms. MCCOLLUM and Mr. LEVIN.

H.R. 544: Mr. KIND and Mr. FRELINGHUYSEN.

H.R. 553: Mr. WESTERMAN, Mr. ZELDIN, Mr. BRAT, Mr. HENSARLING, Mr. MEADOWS, Mr. COLE, Mr. POLIQUIN, Mr. GOSAR, and Mr. ROTHFUS.

H.R. 586: Mr. JONES and Mr. MEADOWS.

H.R. 592: Mr. GOODLATTE, Mrs. HARTZLER, Mr. FITZPATRICK, Mr. WENSTRUP, Mr. COMER, Mr. WALKER, Miss RICE of New York, and Mr. BRADY of Pennsylvania.

H.R. 613: Mr. SMITH of Washington.

H.R. 625: Mr. MOULTON, Mr. KILMER, Miss RICE of New York, and Mr. LANGEVIN.

H.R. 628: Mr. MACARTHUR and Mr. TAYLOR.

H.R. 644: Mr. MARSHALL, Mr. TURNER, and Mr. LIPINSKI.

H.R. 664: Mr. STIVERS.

H.R. 695: Mr. PAULSEN, Ms. SHEA-PORTER, and Ms. ROS-LEHTINEN.

H.R. 696: Mr. QUIGLEY and Mr. RUSH.

H.R. 706: Mr. FORTENBERRY.

H.R. 710: Mrs. WAGNER.

H.R. 732: Mr. GROTHMAN and Mr. YOUNG of Iowa.

H.R. 741: Mr. O'HALLERAN.

H.R. 747: Mr. HULTGREN, Mr. GARAMENDI, Mr. LANCE, Mr. CURBELO of Florida, Mr. TURNER, Mr. LEWIS of Minnesota, and Mr. HUDSON.

H.R. 770: Mr. FOSTER.

H.R. 772: Mr. ROE of Tennessee.

H.R. 793: Mrs. DAVIS of California, Mr. SCHNEIDER, and Mr. BEYER.

H.R. 794: Mrs. BEATTY, Ms. BONAMICI, Mr. CARBAJAL, Mr. CARTWRIGHT, Mr. CLYBURN, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DESAULNIER, Mr. ESPAILLAT, Mr. GALLEGO, Ms. HANABUSA, Ms. KAPTUR, Mr. KILDEE, Ms. LEE, Mr. LEWIS of Georgia, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Ms. MENG, Mr. O'HALLERAN, Mr. PASCRELL, Mr. SOTO, Mr. PAYNE, Ms. ROSEN, Mr. GONZALEZ of Texas, Mrs. DEMINGS, Mr. KIHUEN, Mr. BROWN of Maryland, Mr.

KRISHNAMOORTHI, Mr. JOHNSON of Georgia, Mr. FOSTER, Ms. DELBENE, and Ms. PINGREE.

H.R. 804: Mr. SCHNEIDER, Ms. GABBARD, Mr. PRICE of North Carolina, and Mr. VELA.

H.R. 806: Mr. VALADAO.

H.R. 816: Mr. SWALWELL of California.

H.R. 817: Ms. PINGREE and Mr. YARMUTH.

H.R. 820: Mr. FLORES, Mr. DEFAZIO, Mr. LARSEN of Washington, Mr. GIBBS, and Mr. LOEBSACK.

H.R. 823: Ms. SÁNCHEZ and Mr. GRIJALVA.

H.R. 830: Mr. POE of Texas.

H.R. 844: Mr. ABRAHAM and Mr. PALMER.

H.R. 849: Mr. WILSON of South Carolina.

H.R. 851: Ms. KAPTUR.

H.R. 873: Mr. KNIGHT, Mrs. WAGNER, Mr. YODER, and Ms. MCSALLY.

H.R. 909: Mr. WITTMAN.

H.R. 912: Mr. PASCRELL.

H.R. 918: Ms. SHEA-PORTER.

H.R. 941: Ms. STEFANIK.

H.R. 949: Mr. KING of New York, Mrs. COMSTOCK, Mr. MEEHAN, Mr. DENT, Mrs. WAGNER, Mr. BYRNE, Mr. KELLY of Pennsylvania, Mr. PERRY, Mr. KILMER, Mrs. NAPOLITANO, Ms. SINEMA, Mr. SWALWELL of California, Mr. BRADY of Pennsylvania, Mr. PASCRELL, Mr. GRIJALVA, and Mr. HASTINGS.

H.R. 966: Mr. VISCLOSKY.

H.R. 970: Mrs. CAROLYN B. MALONEY of New York and Mrs. DINGELL.

H.R. 981: Mr. KEATING.

H.R. 985: Mr. GROTHMAN.

H.R. 997: Mr. MCCLINTOCK, Mr. PALAZZO, Mr. LOUDERMILK, and Mr. TURNER.

H.R. 1002: Ms. JENKINS of Kansas and Mr. KELLY of Pennsylvania.

H.R. 1005: Mr. JONES.

H.R. 1006: Mr. POLIS, Ms. CASTOR of Florida, Ms. BONAMICI, Mrs. LAWRENCE, and Ms. MCCOLLUM.

H.R. 1017: Mr. YOUNG of Alaska and Mr. MEEHAN.

H.R. 1022: Mr. SWALWELL of California, Mr. MCGOVERN, Ms. DELAURO, Mr. Engel, Mr. RUSH, and Mr. DANNY K. DAVIS of Illinois.

H.R. 1026: Mr. FORTENBERRY and Mr. GROTHMAN.

H.R. 1031: Mr. YOUNG of Alaska, Mr. WILSON of South Carolina, Mr. BUCK, and Mr. CULBERSON.

H.R. 1037: Mr. LOEBSACK.

H.R. 1038: Mr. PETERSON, Mr. LOEBSACK, Mr. AMODEI, Mr. SARBANES, and Mr. Austin Scott of Georgia.

H.R. 1051: Mr. HUDSON.

H.J. Res. 6: Mr. MASSIE and Mr. COMER.

H.J. Res. 9: Mr. GAETZ.

H.J. Res. 27: Mr. BOST.

H.J. Res. 66: Mr. MESSER, Mr. WILSON of South Carolina, and Mr. MITCHELL.

H.J. Res. 67: Mr. MESSER, Mr. WILSON of South Carolina, and Mr. MITCHELL.

H. Res. 28: Ms. SINEMA, Mr. KENNEDY, and Mr. O'HALLERAN.

H. Res. 31: Ms. SINEMA and Mr. O'HALLERAN.

H. Res. 104: Mr. HASTINGS and Ms. SÁNCHEZ.

H. Res. 111: Mr. FOSTER, Mr. DOGGETT, Ms. BONAMICI, Ms. JAYAPAL, Ms. SCHAKOWSKY, Mr. LYNCH, Mrs. LOWEY, Ms. MCCOLLUM, Mr. SMITH of Washington, Mr. DEFAZIO, Mrs. WATSON COLEMAN, and Mr. CÁRDENAS.

H. Res. 118: Mr. GRIJALVA.

H. Res. 124: Ms. LOFGREN and Mr. FOSTER.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, WEDNESDAY, FEBRUARY 15, 2017 No. 27

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.

O God, who is the strength of our lives, let us live to tell of Your wondrous work. How magnificent are Your acts, O Lord. How deep are all Your thoughts.

Bless our lawmakers. Empower them to endure the challenges of these times. Give them a humility that will make them willing to decrease, so that Your Spirit may increase in their lives. Lord, renew their minds with truth and sharpen their skills in each important area of living. Bless the members of their staffs, who labor so faithfully for freedom's cause.

We pray in Your sovereign 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. COTTON). The majority leader is recognized.

WELCOMING THE PRIME MINISTER OF ISRAEL

Mr. MCCONNELL. Mr. President, let me begin by welcoming a true friend to the United States, Israeli Prime Minister Benjamin Netanyahu, who will be visiting the Capitol later today. Over the years our nations have built a strong and enduring relationship—a relationship grounded in common values like democracy and individual freedom, a relationship guided by a clear-eyed view of the threats that face us.

This relationship has grown closer and more valuable as terrorism has become a constant threat to our homeland—something the Israelis have known, literally, for decades and as Iran has sought to expand its sphere of influence in an effort to remake the Middle East. I value our relationship greatly. I know President Trump does as well.

Now is the time to strengthen and affirm this important partnership as we move on from 8 years of often needless tension, as we turn the page on an administration that chose as one of its last actions in office to abandon our ally Israel, and in so doing to undermine any semblance of a peace process by encouraging the Palestinians to forego direct negotiations.

This afternoon I will reiterate to the Prime Minister my determination, which I know many in Congress share, to work with our new administration and underline America's commitment to achieving peace with the Palestinians through a negotiated settlement in a way that protects Israel's vital national security interests.

Our nations face many common threats. Strengthening this relationship makes each of us safer. I hope colleagues will join me in extending a warm welcome to Prime Minister Netanyahu on his visit to the Capitol later today.

SOCIAL SECURITY ADMINISTRATION RESOLUTION OF DISAPPROVAL

Mr. MCCONNELL. Mr. President, the Senate has been acting to provide relief from harmful regulations by utilizing the Congressional Review Act, which provides the legislative tools needed to repeal them.

I am pleased to report that just yesterday the President signed the first of several regulation-relief resolutions we hope to send him. Later this week, he will sign a second resolution—a resolution identical to the one I sponsored in the Senate that can bring relief to thousands of mining families in Kentucky and across the country by overturning the problematic stream buffer regulation.

Today, we will send him another one. In a few minutes we will vote to protect the constitutional rights of Americans with disabilities. The resolution will provide relief from an overly broad and legally deficient regulation that threatens the Second Amendment rights of law-abiding Americans with disabilities.

Specifically, in the waning days of the Obama administration, the Social Security Administration issued a rule that the ACLU and disability groups across the country oppose because it unfairly treats many Americans with disabilities.

Under this rule, the Social Security Administration must report to the National Instant Criminal Background Check System anyone who receives benefits for certain disabilities and whom the Social Security Administration believes needs a representative payee to help manage these benefits. As a result of being included on this list, many disabled Social Security beneficiaries are barred from lawfully purchasing a firearm, even though there has been no adjudication that the beneficiary is ''mentally defective,'' which is the standard under both the Gun Control Act of 1968 and the NICS Improvement Amendments Act of 2007 for being barred from buying a firearm.

Numerous disability rights groups oppose the regulation as unfairly stigmatizing the disabled. They agree with us on the need to stop the regulation. The substantive problem with the regulation is compounded, the groups note, by ''the absence of any meaningful due

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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process protections prior to the Social Security Administration's transmittal of names to the NCIS database.''

The National Council on Disability, the nonpartisan independent Federal agency charged with advising the President and Congress on policies that affect people with disabilities, opposes the regulation, too. The Council also urges us to use the Congressional Review Act to repeal this eleventh hour regulation ''because of the . . . constitutional right at stake and the very real stigma that this rule legitimizes.''

Our colleague from Illinois, the assistant Democratic leader, apparently disagrees with the ACLU, the National Council on Disability, and disability rights groups across the country. He came to the floor yesterday to discuss this issue. Like him, we are all deeply saddened by the senseless loss of life due to gun violence. It is alarming indeed that we have seen it increase in certain communities, like Chicago. But the way to address this problem is not to stigmatize the disabled or to deprive law-abiding Americans of their Second Amendment rights without due process of law.

The Department of Justice states that ''firearms violations should be aggressively used in prosecuting violent crime.'' The DOJ goes on to state that such violations are ''generally simple and quick to prove.'' Under the Obama administration, however, there was a 35-percent decrease in gun prosecutions as compared to the Bush Administration, when measured over a 10-year period. In fact, gun prosecutions decreased in almost every year of the Obama administration. I am hopeful that the new leadership at the Justice Department will reverse this alarming trend.

What is not helpful, of course, is the assistant Democratic leader's implication that the Senate is addressing this regulation as some sort of payback to the National Rifle Association. I would inform my friend that almost two dozen groups oppose this last-minute regulation, including nearly 20 disability rights groups.

Does he think the opposition to this regulation from groups like the American Civil Liberties Union, the National Coalition for Mental Health Recovery, and the American Association of People with Disabilities is based on some sort of payback? The reality is that, like us, they believe this regulation is simply bad policy. It places an unfair stigma on those with disabilities and violates their constitutional rights, which is why a wide array of groups oppose it.

I am glad the Senate will now join the House in protecting the constitutional rights of Americans with disabilities by voting to undo the unfair stigma this regulation imposes on them.

I want to thank my colleague from Iowa, Senator GRASSLEY, who has been a leader in addressing this regulation. He introduced the Senate companion of the bill we will vote on today, with over 30 cosponsors.

CABINET NOMINATIONS

Mr. MCCONNELL. Mr. President, our Democratic friends are getting a lot of pressure from the far left to resist just about everything these days—reality, for one.

The responsible route for Democrats would be to have some real talk with the far left about how it is past time to come to grips with the outcome of the last election. Instead, our Democratic friends have allowed themselves to be pushed around by the fringes into a strategy in search of a purpose—a strategy in search of a purpose.

They really can't prevent the President's Cabinet nominees from being confirmed, and yet they have undertaken the most unprecedented obstruction of Cabinet nominees in modern history. They have postponed hearings repeatedly. They have boycotted committee meetings altogether. They have forced unnecessary procedural hurdles to delay as long as possible. It has resulted in this President's having the fewest number of Cabinet Secretaries confirmed on a percentage basis at this point of any incoming President since George Washington—and to what end?

It hasn't changed the results. What it has done is forced the American people to go on for an unprecedented length of time without leadership in some of the government's most important agencies.

We are determined to work through this pointless obstruction. We will take the next step in that process soon with a vote to advance a nominee to bring fiscal and regulatory sanity to our economy after 8 years of stagnation. Representative MULVANEY knows that making government more effective and accountable is conducive to economic growth, and he knows that getting our fiscal house in order goes hand in hand with compassion. As he put it:

> Fixing the economy doesn't mean just taking a green eyeshade approach to the budget. Our government isn't just about numbers. A strong, healthy economy allows us to protect our most vulnerable.

That is just the kind of attitude we need in the Office of Management and Budget. It is good to finally see new economic leadership in place atop Treasury and the Small Business Administration. Now we can chart a better direction for this important budgetary agency, as well, and after we do, we will continue working through this unprecedented obstruction to seat the rest of the Cabinet.

I would urge our friends across the aisle to work with us in doing so. Without cooperation, then, under the regular order we are going to end up working here well into the weekend.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CALLING FOR AN INDEPENDENT INVESTIGATION

Mr. SCHUMER. Mr. President, I rise this morning to address the events of General Flynn's resignation as National Security Advisor on Monday night and the need for a full, independent, impartial, and transparent investigation into the facts of the case. It is now readily apparent that General Flynn's resignation is not the end of the story. It is merely the beginning of a much longer story.

The circumstances of General Flynn's contacts with the Russian Ambassador during the transition, the recent reports of potential high-level contact between the Trump campaign and Russian intelligence, including General Flynn, should raise hairs on the necks of everyone in this body and every American of goodwill—Democrat, Republican, conservative, liberal, Independent. This is not a partisan issue. This is an issue about our country and how it is governed. It is also an issue about our security. We are now left with more questions than answers, and it is imperative to find the truth. With every hour that goes by, more and more questions are raised. Every White House press briefing and early morning tweet seemingly introduces new inconsistencies and contradictions that demand a full accounting. Every report that suggests deeper ties between the Trump campaign and the Russian Government needs to be followed up on and verified.

We need to get all the facts.

So in the days and weeks ahead, the Trump administration needs to answer some serious questions. These questions must be asked by an independent and unbiased law enforcement authority. They must be answered truthfully by administration officials. Any attempt to lie or to mislead must be countered with the full force of law.

There needs to be an independent and transparent investigation on two fronts: one in the legislative branch, where we have an obligation to conduct oversight, and one in the executive branch, which has the responsibility of finding and prosecuting potential criminal liability.

Today I wish to address the investigation that must occur in the executive branch.

The new Attorney General, Jeff Sessions, cannot be the person to lead that investigation. In fact, Justice Department regulations specifically prohibit individuals who have political ties to the subjects of an investigation from leading that investigation. It is a clear conflict of interest. I want to read the regulations of the Department of Justice. They are right here, and every American should see them because they are clear as can be.

> No Department of Justice employee may participate in a criminal investigation or prosecution if he has a personal or political relationship with any person or organization substantially involved in the conduct that is the subject of the investigation or prosecution or who would be directly affected by the outcome.

No employee shall participate in a criminal investigation or prosecution if he has a personal or political relationship with any person or organization substantially involved in the conduct that is the subject of the investigation or the prosecution.

The regulations continue. They define political relationship, again, clear as a bell:

> Political relationship means a close identification with an elected official, candidate, political party or campaign organization arising from service as a principal advisor or official. Personal relationship means a close and substantial connection of the type normally viewed as likely to induce partiality.

Jeff Sessions was chairman of the National Security Advisory Committee alongside LTG Michael Flynn. He was a senior adviser in the Trump campaign, the first Senator to endorse the President's campaign, and nominated him at the Republican Convention in Cleveland. Those facts and the Department of Justice's own rules disqualify Attorney General Sessions from running this investigation.

The words are crystal clear; there is no wiggle room. If Attorney General Sessions were to conduct or in any way be involved with this investigation, he would be violating Justice Department guidelines.

As bad a start as the Trump administration is off to, it would make things dramatically worse to ignore these guidelines, which were set up for the purpose of getting to the truth in a fair and impartial way.

Attorney General Sessions must recuse himself immediately. Any investigation headed by, directed by, or influenced by the Attorney General will be jaundiced from the very start.

Because the rules are so clear, I expect the Attorney General will recuse himself and allow an independent and thorough investigation to go forward.

We have an additional reason to seek an independent and transparent investigation because of how the White House has treated this matter over the past few weeks.

The White House knew for weeks that General Flynn misled the Vice President and let General Flynn stay on the job. They knew for weeks that his discussion about sanctions with the Russian Government could potentially compromise our national security because he would be subject to blackmail, and they let him stay on.

The President knew for weeks about this and let General Flynn stay on in his full capacity, present at and participating in the highest level of national security discussions, until those reports were made public.

If the reports of General Flynn's incorrect statements to the Vice President were never made public by the Washington Post, would the President's trust ever have eroded? Would General Flynn ever have been fired? Would he still be in his job today? We will never know now. The answer is very troubling.

If an investigation is not independent, nonpartisan, and, most of all, transparent, there is no guarantee this administration will take the decisive and immediate actions necessary to keep our country safe.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE SOCIAL SECURITY ADMINISTRATION

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.J. Res. 40, which the clerk will report.

The bill 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. Under the previous order, there will now be 10 minutes of debate, equally divided.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, before we vote on the resolution of disapproval, I want to reiterate several very important facts.

This resolution of disapproval is bipartisan. The resolution is also supported by 23 groups, mostly disability rights groups.

The disability groups believe that this agency—the Social Security Administration—and its regulation will unfairly stigmatize those with disabilities. Of course, they are right.

The American Civil Liberties Union has said this:

> 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 ACLU goes on to say:

> Here, the rule automatically conflates one's disability-related characteristic, that is, difficulty managing money, with the inability to safely possess a firearm.

The agency regulation is defective in many ways. Namely, the regulation does not require the agency to prove a person is dangerous or mentally ill. The regulation also provides no formal hearing or due process before a person is reported to the gun ban list.

Supporters of the gun ban have said that repeal of this regulation will interfere with the enforcement of the gun prohibition laws. I want to say plainly and simply: This is hogwash. We should not let baseless scare tactics confuse this important issue.

Important Federal gun laws are still on the books, even if the agency rule is repealed. We aren't repealing any laws.

The new regulation is inconsistent with these existing Federal gun laws.

The agency still has a duty to report anyone who has actually been adjudicated as dangerously mentally ill to the gun ban list. That is also true of anyone convicted of a felony or a misdemeanor crime of domestic violence or involuntarily committed to a mental institution.

The Federal law requires this:

> If a Federal department or agency . . . has any record of any person demonstrating that the person falls within one of the categories . . . shall . . . provide the pertinent information contained in such record to the Attorney General.

This law remains in effect.

Repealing this regulation will merely ensure that disabled citizens' Second Amendment rights are, in fact, protected.

Those rights will no longer be able to be revoked without a hearing and without due process. It will take more than a personal opinion—just a personal opinion of a bureaucrat—to abridge one's Second Amendment rights.

An existing statute requires agencies to report the individuals to the gun ban list who are ineligible to possess firearms. That requirement remains intact even if this regulation is repealed.

So it is plainly wrong to claim, as has been said, that if the regulation is disapproved, agencies will no longer have to report prohibited persons.

If the supporters of this regulation want to take away people's gun rights, then they need to acknowledge the government must carry the burden to actually prove a person—prove a person—is dangerously mentally ill. And the government must provide due process in that process.

They need to go back to the drawing board, in other words, because this rule is inconsistent with the very important Second Amendment rights to bear arms, own, and possess guns—buy and possess guns. Therefore, it must be repealed, and this resolution must be approved.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today to urge my colleagues to defeat a Congressional Review Act resolution that would weaken the FBI's gun background check system and make it easier for individuals with severe mental illness to buy guns.

Gun violence is an epidemic in our communities—killing more than 30,000 people each year; yet this resolution would prevent the. Federal Government from taking even the most basic steps to improve enforcement of current gun laws.

It blocks a rule that requires the Social Security Administration to report to the FBI background check system individuals who have a severe mental illness that prevents them from managing their own affairs. This determination is made during the application process for Social Security disability benefits.

This policy could have prevented tragedies like that of Janet Delana and

her daughter Colby. Colby was diagnosed with paranoid schizophrenia in 2011. She received Social Security disability payments as a result of her mental illness and lived with her parents in Missouri. A year after her diagnosis, Colby used the money from her disability check to buy a gun at a local dealer. Her mom called the dealer and begged him not to make the sale. Janet explained that her daughter was mentally ill and suicidal and that she would likely use the gun to harm herself or others. Nonetheless, Colby passed her background check and bought the gun. Just an hour later, Colby shot her father to death and tried to kill herself. Janet's now a widow, and Colby lives in an institution. Their story didn't have to end that way. We should all agree that severely mentally ill individuals like Colby should not have access to guns. Federal law already says that individuals with severe mental illness are barred from purchasing or possessing guns. Yet time and again, we have seen prohibited purchasers like Colby pass background checks. That is because the background check system does not have records of all mentally ill individuals barred from buying guns.

While the background check system has denied gun transfers to 1.3 million prohibited individuals—including felons, drug addicts, and fugitives—it isn't perfect. There are individuals like Colby whose information should be in the system—but isn't. We need to improve the background check system and ensure information that is supposed to be in the system is in fact included.

A recent report by the Police Foundation and Major Cities Chiefs Association noted that this is critically important if we are going to reduce violent crime in our country. The 2007 mass shooting at Virginia Tech—the second deadliest mass shooting in our history—could have been prevented if we had a better background check system. Seung-Hui Cho, an angry, mentally disturbed individual, slaughtered 32 students and teachers and wounded many others. After the massacre, we learned that Cho in 2005 had been ordered to attend psychiatric treatment and a judge ruled that he presented ''an imminent danger to himself as a result of mental illness.'' As a consequence of this judge's determination, Cho's name should have been entered in the NICS database. But it wasn't—that is because the FBI didn't have the records.

In response to the shooting, Congress in 2007 unanimously approved the NICS Improvement Amendments Act to improve record keeping in the background check system. Senators Ted Kennedy, PAT LEAHY, CHUCK SCHUMER, and Tom Coburn worked together on the bill, and President Bush signed it into law. The bill was supported by both the National Rifle Association and the Brady Campaign to Prevent Gun Violence. That never happens.

It is this bill—passed unanimously and supported by the gun lobby—that required the Social Security Administration to issue the rule we are debating today. The Social Security Administration engaged in a painstaking process over the past year to develop this policy. It received more than 90,000 comments from advocates and members of the public. The rule was carefully crafted to identify individuals like Colby, while protecting due process.

The majority of individuals with mental illness do not commit acts of violence, and they would not be affected by this rule. The rule covers only individuals with serious conditions, including schizophrenia, who need additional assistance to manage their affairs. This determination is made following an extensive review of medical evidence, which takes place before the person is approved for Social Security disability benefits.

The rule further specifies that it would only apply to prospective claimants—starting in December 2017. That means it would not apply to individuals who already receive disability benefits. Repealing this rule through the Congressional Review Act would not only overturn the policy that's been developed. It would block the Social Security Administration from ever taking action to implement the NICS Improvement Act and report mentally ill individuals to the FBI.

Time and time again, my Republican colleagues respond to horrific mass shootings by saying that we don't need any new gun laws. We just need to better enforce the gun laws we already have. That is exactly what this rule aims to do—improve enforcement of current law and make sure people already barred from buying guns can't buy guns.

So, the question comes: What won't Republicans do to appease the gun lobby?

We lose more than 30,000 people to gun violence each year in this country, many of whom are mentally ill and commit suicide. It should shock the conscience of the American people the Senate is considering weakening our Federal background check system in response to this unabated epidemic of violence.

I urge my colleagues to vote against repealing the Social Security Administration's rule. Thank you.

Ms. COLLINS. Mr. President, I rise in support of H.J. Res. 40, a resolution of disapproval of the rule submitted by the Social Security Administration relating to the implementation of the NICS Improvement Amendments Act of 2007. The rule in question would require the Social Security Administration to send to the Attorney General the names of certain beneficiaries for inclusion in the NICS background check database and would make it illegal for these beneficiaries to own or possess a firearm.

In matters where the government is promulgating regulations limiting the Constitutional rights of Americans, it is especially important that the regulations be drafted carefully. I am concerned that this rule targets individuals with mental illness without requiring the Social Security Administration to determine that the individuals whose rights are being limited are dangerous either to themselves or others. As a result, this rule inadvertently reinforces an unfortunate and inaccurate stereotype that suggests that most individuals with mental illness are violent.

Rather than focus on whether the beneficiary presents a danger, the rule instead turns on beneficiaries' ability to manage their finances. Because of this, the rule includes a test that could lead to absurd and unfair results. Under the rule, two individuals could present the exact same condition and symptoms, but if one of them required assistance with their financial affairs, that person would be reported to the NICS background check system, while the other would not.

I hope that the Social Security Administration will consider these suggestions as well as the comments from my good friend from Pennsylvania, Senator TOOMEY, and others, and promulgate a new rule. Addressing these concerns would result in a more effective rule, consistent with Constitutional requirements, which would make Americans safer while protecting the rights of those living with mental illness.

Mr. VAN HOLLEN. Mr. President, guns kill 36,000 Americans every year. That's nearly 100 Americans every day.

To help address this scourge of violent death, Congress enacted the Brady Handgun Violence Prevention Act in 1993. The Brady Act required the Attorney General to establish the National Instant Criminal Background Check System, or NICS, to determine whether Federal law prohibits a potential buyer from getting a gun.

Following the Virginia Tech massacre in 2007, which left 33 dead, President George W. Bush signed into law the NICS Improvement Amendments Act to improve the national background check system. The Virginia Tech shooter was able to buy a gun because the background check system did not include information about his mental health.

The prohibition on buying a gun now applies to people who, as a result of their mental condition, have been determined to pose a danger to themselves or others or lack the capacity to manage their own affairs. The Social Security Administration proposed its rule to meet the requirements to strengthen the background check system in the 2007 NICS Improvement Amendments Act.

The Social Security Administration's rule defined Social Security disability beneficiaries who are have a mental impairment and need another person—known as a ''representative payee''—to handle the receipt of their benefits to fall within the category of those

who lack the capacity to manage their own affairs. Importantly, these determinations would be subject to judicial review. The rule is not a perfect fit, but it is an appropriate one.

I have heard from some disability rights advocates that this rule may be unduly broad and might prohibit too many people from owning a gun. I am sensitive to the concerns of people with disabilities. It is wrong to stigmatize people with mental disabilities as the cause of gun violence. And people with disabilities, like all Americans, have important rights under the Second Amendment. I would be open to changes to the rule that would make appeals from determinations easier to make, and I would be open to other ways to better identify people who are a danger to themselves or others or lack the capacity to manage their own affairs.

A resolution to disapprove the rule under the Congressional Review Act, however, is not the right way to get to a better result. If Congress enacts the resolution of disapproval, then the law would prohibit the Social Security Administration from writing a better rule in its place.

Better still, Congress could enact sensible gun legislation. But instead of working with Democrats to improve the law, Republicans have chosen to use the blunt instrument of the Congressional Review Act to repeal the rule. Using the Congressional Review Act is far from the most precise way to address this problem.

The powerful gun lobby has prevented Republicans in Congress from supporting common sense legislation that most Americans favor. The overwhelming majority of Americans believe in universal background checks and that guns should be kept out of the hands of people who have been determined to pose a risk or are unable to manage their affairs. Repealing the Social Security Administration's rule would go in the opposite direction. Enacting this resolution of disapproval will only make it harder to keep American communities safe, and thus I oppose the resolution.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, whenever the discussion in the Senate turns to gun violence, we often hear Senators say: We shouldn't be talking about guns; we ought to be talking about mental health. That is exactly what we are trying to make sure is the focus of this debate because this proposed rule is about mental health, and it is about background checks; it is not about taking away anyone's constitutional rights.

Here is how the proposal 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.

Having listened to the debate yesterday, I think everybody is going to be a little confused about what happens then because the reality is that anyone who thinks they have been unfairly affected can appeal, and the likelihood is substantial that they are going to win. If the appeal goes the other way and the individual believes the decision is wrong, then that person can take the matter to court. It is not true to say this rule deprives any American of due process. It is a rule aimed directly at the two areas in this debate—mental health and background checks—where there is enormous support from the American people.

The reality is you can talk to people in virtually any community—you can go to a townhall meeting in any part of the United States—and you will hear enormous support for background checks. One recent poll found that 92 percent of gun owners supported expanded background checks. Ninety-two percent of gun owners supported background checks. So not only is the position I am articulating not extreme, opposing background checks is the position that, in fact, has become increasingly out of the mainstream.

As the courts continue to interpret the language of the Second Amendment, one matter has been clear: Background checks are a constitutional part of the exercise of those rights.

I have heard some saying that the rule can be improved, that it ought to be tailored. I am very open to having a debate around those kinds of questions. That is not going to be possible if this resolution passes. This will preempt debate. The resolution doesn't just scrap the rule, it blocks any further step on this issue for years. In my view, that would be the wrong way to go, even if you have suggestions for improving the rule.

So to wrap up the debate, I want colleagues to know that this rule, this proposal that has been described on the floor—this resolution—ought to be opposed because for those who want improved mental health, for those who want background checks, for those who are just saying what we need to do in this area as it relates to gun violence—it is not about Democrats and it is not about Republicans; it is about common sense. The commonsense position today for background checks, a focus on mental health, and, most importantly, common sense is to oppose the resolution.

I yield the floor.

The PRESIDING OFFICER. Is there further debate?

Mr. GRASSLEY. Mr. President, on this side I yield back our unused time.

Mr. WYDEN. I yield back.

The PRESIDING OFFICER. All time is yielded back.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 57, nays 43, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—57

Alexander	Flake	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	King	Sullivan
Cruz	Lankford	Tester
Daines	Lee	Thune
Donnelly	Manchin	Tillis
Enzi	McCain	Toomey
Ernst	McConnell	Wicker
Fischer	Moran	Young

NAYS—43

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Udall
Casey	Markey	Van Hollen
Coons	McCaskill	Warner
Cortez Masto	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

The joint resolution (H.J. Res. 40) was passed.

ORDER FOR RECESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2 p.m. today; further, that the time during the recess count postcloture on the Mulvaney nomination.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. I yield back all the time on this side.

Mr. CORNYN. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Mick Mulvaney, of South Carolina,

to be Director of the Office of Management and Budget.

Mitch McConnell, John Cornyn, Mike Rounds, Tim Scott, Johnny Isakson, James M. Inhofe, Roger F. Wicker, John Thune, Michael B. Enzi, Lindsey Graham, David Perdue, Orrin G. Hatch, Mike Crapo, James E. Risch, James Lankford, John Hoeven, Chuck Grassley.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of MICK MULVANEY, of South Carolina, to be Director of the Office of Management and Budget shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 52, nays 48, as follows:

[Rollcall Vote No. 67 Ex.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 48.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of MICK MULVANEY, of South Carolina, to be Director of the Office of Management and Budget.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise today as the Senate considers the nomination of MICK MULVANEY of South Carolina to be the Director of the White House Office of Management and Budget. That is OMB. We are long overdue in confirming Mr. MULVANEY to this key post because our Nation has so many pressing budgetary issues requiring the attention of this new administration. First among them is the staggering $20 trillion debt burden we are now faced with after 8 years of anemic economic policy and growth—and growing at the rate of half a trillion dollars a year. Confirming an OMB Director we can work with will put America on a more responsible fiscal path.

With their unprecedented attempts to delay the new Cabinet, Senate Democrats have ensured that the President has now been without an OMB Director longer than any other President in the past 40 years. That is how long the Budget Act has been in place. According to Senate records, from President Jimmy Carter to President Obama, the longest it has ever taken to approve a first budget director for a new President was 1 week—1 week. We are now in week 4, with little or no movement. As Majority Leader MCCONNELL said last week, this is the slowest time for a new Cabinet to be up and running since President George Washington—and that was last week. It is even slower than that, and we are still not done.

It is vital that we fill this position as soon as possible because the Director of the Office of Management and Budget will help set the President's budget priorities and play an important role in working with Congress on setting the appropriate spending levels for the Nation. This position is crucial to helping the Federal Government function in what is shaping up to be a very challenging fiscal environment that requires all of our attention.

Some may wonder why Democrats are opposed to Mr. MULVANEY. It could be because he has been a vigilant budget hawk during his 6 years in Congress, focused on the question of how we ultimately stop the Federal Government from overspending while continuing to fund the country's core priorities and responsibilities. They could be worried that the White House Budget Director will be a prominent voice, arguing for fiscal restraint, for responsible budgets, and for honest budgeting that avoids the use of gimmicks, such as emergency funding designations for nonemergencies.

I am hopeful Mr. MULVANEY and the OMB will ensure the taxes the hard-working Americans send to Washington are spent in the most efficient and effective way. The Federal Government has not been currently focused on making sure hard-working taxpayers get the best deal for their money. A new OMB Director focused on responsible budgeting can help ensure that when duplication in government programs and agencies is discovered, it is addressed. This will help make the Federal Government more accountable and effective.

The Government Accountability Office, GAO, every year outlines tens of billions of dollars in savings that can be achieved through various efficiency measures. OMB can play an important role in ensuring that spending programs do not duplicate each other while protecting hard-working taxpayers. Additionally, reforming and consolidating these programs can ensure that they focus on real needs and be managed with an eye on real results.

The Federal Government has grown so large and so complex that no one seems to know how many Federal programs exist. Even the executive branch can't tell us how many programs it administers. I have directed a lot of questions to the past administration, trying to find out exactly that. Of course, I would like to not only know how many programs they administer, I would like to know how many dollars are involved, I would like to know how many people it employs and how many customers they serve. There ought to be some kind of relationship there that means we are making a difference, but nobody is looking at it.

Several years ago, Congress even passed a law requiring the administration to publish a list of all Federal programs on a central governmentwide website, along with related budget and performance information—some of what I was just talking about. Unfortunately, when the program lists were put online, GAO reviewed the information and discovered that the inventory, in their words—listen to this carefully—was ''not a useful tool for decision making.'' What were they afraid of? But even if the government can't answer that question, we can find strong evidence that the number is on the rise, and Mr. MULVANEY will be able to play a crucial role in taming the unchecked growth of the Federal Government.

I also look forward to working with him on the urgent need to reform the broken budget process, which has contributed to the budgetary stalemate and recurrent continuing resolutions to which Congress now routinely resorts in order to postpone hard decisions about spending and debt, which delays agencies from being able to plan.

There is an urgent need for important reforms to the process, such as implementing biennial budgeting so they can plan 2 years at a time, and the overhaul of outdated budget accounting concepts that have outlived their usefulness. Ultimately, my goal is to have Congress work with this new administration to produce comprehensive and lasting budget reform that can put our Nation on a better fiscal path. The Budget Committee has been working on that for a year in a very bipartisan way. It is time for us to put some of those into place.

Despite its significance, the preparation of the President's annual budget submission is only one of the responsibilities of OMB. As an entity within the Executive Office of the President, OMB has numerous governmentwide management responsibilities, in addition to budgeting and spending, that

concern various activities carried out by Federal agencies. These include agency rulemaking, agency contracting, agency grants management, agency financial management, information technology, program assessment, personnel policy, property management. We don't even have a list of what property we have, let alone when it is probably going to outlive its usefulness and when it needs to be replaced. That would be capital budgeting. I hope we can do that at some point.

It is for these reasons and more that I encourage the Senate to exercise its constitutional duties to provide their advice and consent on this key Cabinet-level position and confirm Representative MICK MULVANEY of South Carolina to be Director of the Office of Management and Budget.

I have talked to him extensively. I have known him for a long time, and I know he will do a spectacular job with this at providing good advice to the President so we can do whatever we can do and bring as many people together in meeting the responsibilities of this government. I hope the people will join me in support of this outstanding nominee.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, we are moving forward now on the consideration of Congressman MICK MULVANEY, the President's nominee to head the Office of Management and Budget, which is an enormous responsibility and which often directs the traffic of what is going to happen in all of the agencies and directs traffic as to what legislation the White House is going to be working on and working with the Congress on. This is an enormous responsibility and a very powerful position.

When looking for someone to lead this agency, we have to carefully consider the person's record. The Presiding Officer is someone who is practical, who is a military officer, and who understands a lot about human nature, as I hope this Senator from Florida does, and what I suspect that both of us have found is that you can often tell where a fellow is going by where he has been.

Let's look at Congressman MULVANEY's record on everything from things like Social Security and Medicare. Let's look at what his record is on climate change and sea level rise, and, oh, by the way, of particular note to the gentleman presiding in the Chair, what is his record on defense spending. Office of Management and Budget is going to have a great deal to say about what is in the budget with regard to any kind of spending, but let's see what he has said with regard to defense spending.

Congressman MULVANEY has advocated for raising the retirement age for Social Security to 70. He has also said he wants to raise the Medicare eligibility age from 65 to 67, both of which would require senior citizens to work longer, even though they have worked a long time and have paid into these programs in good faith.

Take, for example, Medicare. People have tried to provide for health insurance, if they have enough money, or otherwise through the ACA, getting subsidies to afford health insurance or, if they don't have enough money, having Medicaid, and they are waiting for the day they turn 65 to be eligible for Medicare.

It is the same thing with Social Security. Social Security over time has been raised from 65 to 67, but Congressman MULVANEY has talked about raising the eligibility for Social Security to age 70. I don't think this is going to go over too well with a population of senior citizens who have paid into Social Security, who have paid in to finance Medicare and now are being told they are going to have to wait until later.

I know how you can dress it up. You can say: Oh, it is not going to affect anybody who is currently eligible, but what about all the young people who are paying in? Well, time flies, and suddenly they find they are approaching that age in their midsixties. I don't think people are going to take very well to Congressman MULVANEY's position.

Let's see what else he has said. He called Social Security a Ponzi scheme. He further has said he supports turning Medicare into a voucher system. That, under any independent economist's examination, would lead to big cuts for seniors, many of our senior citizens who have no other options for health coverage.

When the President was running for office—remember, he said exactly the opposite. Then-Candidate Trump said he promised there would be no cuts to Medicare and Social Security. Yet the White House has nominated somebody who has taken positions contrary to that because it is clear from Congressman MULVANEY's past positions, that we can't rely on him to keep this promise that the President made.

Again, I remind our listeners that the head of the OMB is like a chief air traffic controller. He is directing a lot of the traffic of what the White House will bless, and it is a position—need I remind you—that is also considered a member of the President's Cabinet. Well, the positions Mulvaney has taken are opposite to those stated by Candidate Trump.

Let's look at something else. You know the Nation has debt. In fact, U.S. bonds are the strongest investment in the world because they are backed up by the full faith and credit of the U.S. Government, the strongest government in the world. So any kind of U.S. debt, backed by the full faith and credit, is the strongest investment in the world, but Congressman MULVANEY has taken an alarming position on our Nation's debt, advocating for shutting down the government and defaulting on the debt—all a part of a political game to gain leverage in budget battles.

Anybody who takes a position that you want our government to go into default on its financial obligations—that is a pretty extreme position. So this Senator would merely say we can't have somebody in charge of our budget as the Director of the Office of Management and Budget who is willing to risk a default on our government to meet a personal ideological agenda.

Let's look at something else. The Presiding Officer is in one area of the United States outside of the continental United States, and yours truly is in another part of the United States. One is near the Arctic, and the other is near southern climes. Our State, and specifically South Florida, is ground zero for sea level rise.

I think most people are familiar with the photographs on television showing seawater washing through the streets during the seasonal high tides of Miami Beach. Most people have heard that in some of the coastal cities they had to relocate well fields further west because of sea level rise and the intrusion of salt water, which is heavier than freshwater, into the interior. Florida sits on top of a honeycomb of limestone that is filled with water. That is what is happening in the southern part of the United States.

A NASA scientist testified to the Commerce Committee that—these are measurements, not forecasts or projections but measurements over the last 4 years—the sea has risen in South Florida 5 to 8 inches. Of course, we have heard the projections. This is something we are getting ready for. The city of Miami Beach is spending millions of dollars on very expensive pumps. Other governments in South Florida are planning to do the same. It is not a forecast. It is happening.

Three-quarters of our State's population in Florida lives on the coast. Look at the population in the United States. A lot of people live on the coast, and those populations are going to bear the brunt of sea level rise from the flooded streets to tainted drinking water. But during his confirmation hearing, the fellow being considered to be head of the OMB, Congressman MULVANEY, questioned the scientific fact of climate change.

We can't muzzle scientists. We can't muzzle science. It is not going to go away. You can attempt to muzzle the scientists as some Governors in the South have done, and alarmingly, as I have found in the last few weeks, some agencies of government are having implied threats that they stop using the words ''climate change.'' You can't muzzle this when the effects of scientifically proven climate change are

posing a real threat to a lot of our people.

I specifically made it a point to question the fellow whom we will vote on next week—a really good person, Wilbur Ross, who is going to be the Secretary of Commerce. He came out of our Commerce Committee with an overwhelming vote. I specifically said, and it is on the record: What do you think about climate change science?

I said: Mr. Ross, Wilbur Ross, do you know you have three Nobel laureates as scientists who are employed in the Department of Commerce? Do you know that you have not only NOAA and all the intricate measurements that are so important for us to protect ourselves, to read in-bound hurricanes, tornadoes, the amount of rain that is going to fall for our agriculture industry, all the rest, but also we have scientists over there in the Department of Commerce, I reminded him, who are doing the delicate measurements of science, of standards and technology that are kneading science to sniff the atmosphere for nuclear explosions by potential enemies. We don't want to muzzle these scientists. We want them to bring forth the best that they can come up with in modern-day techniques.

I would ask the Presiding Officer to look at the bill we have filed with a number of our fellow Members of the Commerce Committee, the Scientific Integrity Act, which would ensure that Federal scientists can freely communicate their findings with the public and with Congress. It requires Federal agencies to implement and enforce scientific integrity policies and to ensure that adequate procedures are in place to report when those integrity policies are violated. That ought to be common sense. That ought to be the normal course of business around here. Let people speak their minds, speak their expertise. That is what we want. That bill requires Federal agencies to implement and enforce those policies.

Let's get to defense spending. The nominee for Office of Management and Budget—Congressman MULVANEY's—record on military spending is concerning. In 2011, in an interview on ABC's ''Top Line,'' Congressman MULVANEY said:

> Defense has to be cut—it has to be on the table, no question. There is a group of Republicans—myself included—who think that we should be cutting defense. There's a large portion of folks in our own party who know that you can cut defense and not impact the ability of our troops in the field to be defending us.

Why don't we ask the people in Ukraine who are fighting for their lives against the projected arm of Vladimir Putin trying to take over their territory, just like he already did in taking over Crimea? Why don't we ask our NATO allies? Why don't we ask our troops in the hot, sandy regions of Iraq and Syria right now? Yes, our U.S. troops are in Syria—the Special Operations forces advising the combined forces over there fighting ISIS. Why don't we ask them if they want defense cuts? As we see the continuous projection of the ability of Russia to move on to three Baltic States which are our NATO partners, why don't we ask them if they would like our defense budget cut? Why don't we ask our allies in the Pacific region that are so concerned about the testing of these increasingly longer range, intermediate range ballistic missiles by North Korea—why don't we ask them if they want us to cut back on the assets that we have in the region to be able to protect them from the North Koreans if that child dictator suddenly goes off on some crazy tangent and pushes the button?

So I will just summarize and state that Congressman MULVANEY has repeatedly demonstrated an unwillingness to face domestic and global realities, and for this Senator, that raises serious concerns as to whether he can be trusted to responsibly oversee our Nation's budget process. For these reasons and others, I will be voting no on Congressman MULVANEY's nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

Mr. KAINE. Thank you, Mr. President.

I rise to speak on the nomination of Representative MULVANEY to be Director of the Office of Management and Budget, the matter currently pending before us.

I will vote against the nomination because of Representative MULVANEY's opposition to bipartisan budget accords, targeting of Federal employees, and his willingness to use the full faith and credit of the United States as negotiating leverage.

Background. This is a really important position and I am on the Budget Committee that oversees OMB and its opportunities. The OMB Director is a primary adviser to the President on budgetary matters. The OMB Director is in charge of preparing the annual budget submission to Congress, and the management function of the OMB is a very important one in terms of management of the Federal workforce and the work of the executives.

We have seen OMB Directors in the past deeply involved in fiscal negotiations of national importance, most notably in the time I have been here on deals to address the across-the-board sequester cuts and even the shutdown of government in October of 2013. So it is very important that in this position the Director have a proven record of public service. One side or the other is fine, but there has to be a recognition of the value of bipartisan compromise, putting the country first, putting pragmatism ahead of ideology, and a commitment that is rock solid to maintaining the fiscal credibility and integrity of the country. I worry about Representative MULVANEY in each of these areas.

With respect to bipartisan compromise on budget matters, I was a budget conferee in 2013 after the government shutdown. The Senate and House each had a budget. There was a refusal to sit down to do a budget conference. That led to the absence of a budget and the shutdown of the government for 16 days—the greatest government on Earth.

As we came out of that, there was a recognition and an agreement that we would sit down and try to hammer out a budget compromise. People didn't give us a lot of odds that we would do it, but because of the leadership of then-Budget chairs, now the current Speaker of the House, PAUL RYAN, and PATTY MURRAY, the Budget chairs enabled us to reach a compromise that was for the good of the country by the end of calendar year 2013.

At that point, the nominee was a Member of Congress and played a very active role in opposing the budget compromise. He voted against the deal we needed to get following the shutdown of the government, and his quote was:

> It seems, yet again, that Washington cannot wean itself from its spending addiction. Indeed, what we saw today is another example of how we got $17 trillion in debt: we can have lots of bipartisanship, as long as we spend more money.

The unwillingness to embrace a bipartisan compromise, even after the Government of the United States shut down, troubles me significantly.

I worry about his pragmatism on these matters. He has supported using government shutdown and the threat of government shutdown as a lever—as a lever to defund Planned Parenthood, as a lever on other matters that he thinks are important, and that is fine, but to use those as a lever—to use the shutdown of the Federal Government—that government that Abraham Lincoln said was a government by, of, and for the people and it should not perish from the face of the Earth—I view that as we shouldn't shut the Federal Government of the United States down—but he has used debt ceiling and shutdown as a leverage to gain his way on points of lesser importance than whether the government stays open.

He has continued to support the sequester, which I believe is bad policy for the United States: ''We want to keep the sequester in place and then take the cuts we can get.''

There is also a significant issue that matters to me in my State. I asked him about it during the hearing that demonstrates an ideology over pragmatism, which is, Does he accept the science behind climate change? Why does that matter for an OMB Director?

Well, we are investing money in storm relief. We are investing money in

emergency relief. We are investing money when we rewrite the flood insurance program.

In Hampton Roads, Virginia, in the State where I live, 1.6 million people—the biggest center of naval power in the country—deeply affected by sea level rise. If you are a Budget Director, some of what you do is make recommendations for how to spend money on things like resilience to sea level rise, but if you do not believe that humans are affecting climate change, then your budgets are not going to show that you think that is a priority. In questions before the committee, Representative MULVANEY challenged the notion that humans are affecting climate change.

Finally, I worry about his effect on the Federal workforce. There are more than 170,000 Federal employees in Virginia, a large part of my constituency. They do a great job. There is going to be some challenging employees in any entity, whether it is in the Senate or whether it is in a private entity. On balance, our Federal employees are people who deserve our thanks for the job they do.

The House took an action at the beginning of January—the Senate did not take this action, but the House took an action that reinstated something called the Holman rule. The Holman rule is a longstanding, but for a long while unused, doctrine that allows the House, in an appropriations bill, to target an individual employee and reduce their salary to as low as $1 a year. They couldn't fire someone without violating civil service rules, but the House voted to be able to target individual employees and reduce their salaries to $1 a year. This, together with a Federal hiring freeze and other actions, is causing a great deal of angst among the Federal workforce. Congressman MULVANEY supported the notion of bringing back the Holman rule so individual employees could be targeted. I asked him about that when we visited in the office, and he did not have an answer that I found convincing or credible.

Finally, the debt ceiling. We are going to confront within a few months the debt ceiling of the United States—our willingness to honor the obligations of the debt that has previously been incurred. The full faith and credit of the United States shall not be questioned is something that is very important. I think it is in the 14th amendment to the Constitution. Certainly, that has been our example that we have set around the world; that we have strong credit and no one can ever question whether the United States will stand behind its debts.

Congressman MULVANEY has often taken the position that the United States could default on debt and then prioritize which debts it would pay. That happens in the commercial space sometimes. Sometimes it is an intentional tool and sometimes it is an accidental tool and we have bankruptcy laws to allow the prioritization of debt. The United States does not repudiate its debts, and we should not flirt with something like a debt ceiling and suggest that we are going to repudiate our debts.

In closing, I am troubled by the nominee's opposition of bipartisan budget efforts. I am troubled by an ideological position that says we could potentially default on our debts or flirt with shutting down the government to achieve my way on this or that issue. For those reasons, I would oppose him.

His public service in Congress is something I respect, and I respect the fact that he has been returned to the body multiple times by his voters. That should be worthy of respect as well, but in terms of being the chief budget official for the United States, I do not think he has demonstrated the ability to do that and to keep America's fiscal policy and reputation sound.

For those reasons, I will oppose him.

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. ROUNDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROUNDS. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING CLINT ROBERTS

Mr. ROUNDS. Mr. President, I rise today to commemorate the life and legacy of Clint Roberts, who passed away in the early morning hours of February 13 at the age of 82.

Clint is a former Member of the U.S. House of Representatives, the South Dakota State Senate, and a former South Dakota secretary of agriculture. He helped give birth to the Conservation Reserve and the Conservation Reserve Enhancement Program, which have been extremely beneficial to farmers, ranchers, and landowners, not only in South Dakota but across the country. These programs helped increase farm and ranch family incomes at a time of great economic turmoil.

But more importantly, Clint was a mentor and a hero to me and to many others and, I am proud to say, a lifelong friend to me and Jean. I have always looked up to Clint and sought him out for advice.

I first met Clint when I was an intern in the South Dakota State Senate in 1976. He was serving in a leadership position. He taught me many valuable lessons over the years about politics, policy, family, and public service, just to name a few. He also is credited with introducing me to that exquisite combination of water and Scotch over 40 years ago at the Kings Inn in Pierre.

Clint grew up on a ranch near Presho, SD, in Lyman County, and never let go of his cowboy roots, his hat, or his boots. He was an iconic symbol of a cowboy and of the Wild West, so much so that he was one of the finalists to be the ''Marlboro Man'' in the mid-1970s. He also appeared in minor roles in films and even in a Super Bowl commercial.

But even off camera, he was a cowboy through and through. He was down to earth, a straight shooter, and a practical conservative who believed in freedom and helping those in need. He was also a problem-solver who fixed what was wrong instead of just talking about it.

He was one of the true conservationists in South Dakota, promoting wildlife and conservation on his operating farm and ranch. He taught many the importance of the CRP, or the Conservation Reserve Program, and preserving our natural resources. During pheasant hunting season, he always opened his ranch to hunters, and loved making his secret recipe for chili for all to enjoy. But most of all, he understood the importance of family. He was a great husband to Bev, a father, grandfather, and great-grandfather, and he was a great friend to all who knew him. He had a tremendously positive impact on the many thousands of people whom he met and touched with his kindness, selflessness, and generosity. South Dakota is truly a better State, and we are a better people because of his hard work and dedication to making things better.

With this, I welcome the opportunity to recognize and commemorate the life of this public servant and my friend, Clint Roberts. We will treasure his legacy for years to come.

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. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent that I have the opportunity to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent that I be able to express my entire remarks during this period of time.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING LADD SEABERG

Mr. MORAN. Mr. President, Ladd Seaberg, a Kansas resident whose home was in Atchison, KS, passed away on Kansas' 156th birthday. My State lost an individual who epitomizes all that it means to be a Kansan.

Throughout his life, Ladd was dedicated to serving his family, his friends, his colleagues, and his hometown of Atchison.

Atchison is along the Missouri River, the Kansas River, and right on the border with the neighboring State. They have a long history in that community, and he and his family have had a long opportunity, which they have taken advantage of, to benefit the citizens of that community. He fought a courageous fight with a terrible, progressive neurodegenerative disease, and he was laid to rest last week.

As a stalwart figure of Northeast Kansas who worked at MGP Ingredients for 40 years, he will long be remembered for his character and his leadership. Most everything good in Atchison involved Ladd and his family.

Ladd was not born a Kansan. He was born in West Texas and graduated from Texas Tech University, where he met his wife Karen Cray during a national science fair put on by the U.S. Air Force. Naturally, they both won first place awards at the fair, and later moved to Karen's hometown of Atchison, where they made their life and raised their family.

With a degree in chemical engineering and the mind of a true engineer, he had a passion for understanding the way things work on a mechanical level. His love of tinkering led him to a longtime hobby as an avid amateur radio operator.

Upon moving to Atchison, he began working at MGP as a distillery production manager. During his first 11 years there, Ladd rose to become the company's president and later CEO and, then, chairman of the board. He had an integral role in bringing the company public, when it became listed on Nasdaq's exchange.

Ladd and his beloved wife Karen, who now serves as MGP's board chairwoman, were blessed with two daughters and six grandchildren, who still live in Kansas today.

Beyond his leadership at the company MGP, where his intelligence and encouraging management style will long be remembered, Ladd contributed on numerous boards and to even more organizations that improve the lives of those who live in the community and around the State. To name but just a few, he was a founding member of the International Wheat Gluten Association, separately represented the U.S. grain community at the World Trade Organization meetings, and was a board member of the Kansas Chamber of Commerce and Industry.

He was also one of the original founders of the Atchison Area Economic Development Council, a longtime member of the Historical Society, and a former chairman of the Atchison Area Chamber of Commerce board.

Ladd's leadership was indispensable on the Amelia Earhart Memorial Bridge committee to construct a new bridge in 2012 across the Missouri River named for a fellow pilot and fellow Kansan, Amelia Earhart, one of our State's proudest daughters.

He cared deeply about education in his community, as evidenced by the recognition he and his wife received from Benedictine College, the Cross of the Order of St. Benedict, the institution's highest honor. His faith also played a significant role in his life, having served as an elder and deacon of the First Presbyterian Church of Atchison.

One can hardly overstate what he meant to northeast Kansas, as Ladd always sought opportunities to serve his fellow Kansans. He was a mentor to many and gave of himself to all who were fortunate enough to pass his way.

I appreciate his contributions to our State, and my prayers have been with his wife and family, father and grandfather. It is sad that Ladd was laid to rest, but may he rest in peace.

APPROPRIATIONS PROCESS

Mr. President, there is a lot going on in the Senate, and I am grateful for that. I hope we can resolve our differences and begin to work on policy. Personnel do matter. But what I want to highlight, as we look at the agenda for the Senate, when we look at an agenda for this Congress and the Federal Government, is the appropriations process.

One of my goals as a Member of the Senate—I didn't expect this when I was elected; I didn't expect there to be a problem—what I want to see is the Senate function. All 100 U.S. Senators, whether they are Republican or Democratic, ought to take a great deal of responsibility for seeing that this place, the U.S. Senate, gives each Senator the opportunity to present his or her ideas, to represent his or her constituents, and to make a difference on their behalf. One of the ways we can do this is in the way that we appropriate money.

The appropriations process is important. At the moment, we are operating under a continuing resolution that expires in a few months. We have had lots of conversations about the first 200 days of this Congress, the first 100 or 200 days of the administration. We have talked about the importance of confirming Executive nominations. We have talked about the importance of dealing with the consequences of the Affordable Care Act. We have talked about the need and the desire to repeal regulations that are onerous and damaging to our ability to create jobs. We certainly have talked about the need to do an overhaul in a comprehensive way of the U.S. Tax Code.

I want to raise to my colleagues' attention and hopefully generate awareness about one of the things that seem to be missing in that discussion about what our agenda is or should be, which is the necessity of doing appropriations bills.

The way this place is supposed to work is that by law, by April 15, we are to have passed a budget, and then 12 separate appropriations bills march their way through the Appropriations Committee and come to the Senate floor, where they are available for amendment, discussion, and debate by every Member of the Senate. We ultimately pass each of those 12 appropriations bills and send them to the House or vice versa. Those 12 appropriations bills fill in the blanks.

Unfortunately, what has happened way too often is we have gotten in the habit of passing something we call a continuing resolution. Continuing resolution means that we are going to fund the Federal Government, its agencies and departments, at the same level of spending next year as we did this year. That suggests that there is no ability to prioritize how we should spend money. That is poor government. In fact, if you have had continuing resolutions year after year, the priorities of spending that were in place 2, 3, 4 years ago have become the priority of spending next year.

In my view, it would be a terrible mistake for us to reach the conclusion that we can do no better than a continuing resolution in the appropriations process this year that takes us to the end of the fiscal year. It is not just about priorities; we need to get spending under control. In fact, the appropriations process has generally done that. There is a reasonably flat line in the growth of government spending on the discretionary side, the things that the Appropriations Committee deals with, the things that we as Senators deal with on an annual basis.

In addition to determining priorities and levels of spending, another reason this is important is that it is our opportunity to influence decisions made by various agencies, departments, and bureaus of the Federal Government.

In my view, the Constitution of the United States created the Congress—the congressional branch, the legislative branch—for reasons of trying to restrain Executive power. When we do a continuing resolution, we leave so much discretion, so much power in the executive branch. It doesn't matter whether it is a Republican President or a Democratic President, Congress is here to protect the American people from an ever-encroaching desire on any administration to garner more power and to make more influence in the Nation. Congress has the ability, if we will use that ability, to restrain Executive action. We are going through a series of Congressional Review Act procedures in which we are rejecting regulations made in the final days of the past administration.

A more effective long-term approach to dealing with the expansive nature of the bureaus, departments, and agencies is to have an appropriations process in which the agency head, the Cabinet Secretary, or the bureau chief knows that his or her relationship with Congress may determine how much money he or she has to spend within that agency. If we do a continuing resolution, there is little reason for an agency head, a Cabinet Secretary, or a bureau chief to pay attention to Congress, and that is contrary to the constitutional provisions giving us the responsibility to appropriate money, and

it continues the practice of an administration expanding their role in the lives of Americans and its businesses.

We need an appropriations process different from just a continuing resolution. We need to have the opportunity for agency heads to know that the appropriations process is going to matter to them. It causes them to have conversations and discussions with us, gives us the ability to tell an executive branch official: This doesn't work in my State. This is very damaging. This rule or regulation you are proposing is harmful. Can you go back and do it in a different way? Do you understand what this means in this circumstance?

Again, our leverage to have those conversations is often whether or not we are going to appropriate money and what that level of spending will be for that agency.

The other aspect of this is that in the absence of that dialogue and change of heart by that agency head, we then have the ability to say as a Congress that no money can be spent to implement this idea, this regulation, this rule.

While we focused attention—rightfully so—on the Congressional Review Act and its ability to limit and in this case repeal and reject regulations, the long-term ability to rein in any administration that exceeds its authority and operates in a way that develops regulations that lack common sense or an appreciation of how they might affect everyday Americans is through the appropriations process, and a continuing resolution will once again take away the constitutionally mandated, the constitutional responsibility we have in doing our jobs to protect the freedoms and liberties of the American people.

We have had a lot of conversations about what we are going to try to accomplish. One of the things that I want to make sure is on the agenda is, when the time comes, which is now, the conversation is—I hope the conversation is not ''Well, we have run out of time. We are just going to do another continuing resolution and fund the Federal Government for the next few months at the same level as we did last year.'' We need to exert our authorities to make sure the American people are out of harm's way from what government can do. The Constitution was created to protect Americans from an ever-expansive government, and it only works when Congress works.

The time is short. We hear that the administration is going to offer supplementals or amended requests for additional spending, especially in the defense arena. We need to get our appropriations work completed so that they have an opportunity to supplement, to make suggestions to Congress about what that appropriations bill should finally look like. We are close to failing in our responsibility to do that. Congress needs to do its work.

All 100 Members of the U.S. Senate can have their opportunity to have input in how money is spent. We can defend and protect the taxpayer; we can defend and protect the consumer; we can defend and protect the job creator; we can defend and protect the employee—but not if we don't do our work, not if we don't do appropriations bills and we rely once again on this technique of shrugging our shoulders, throwing our hands in the air, and saying that the best we can do is tell an agency that their spending authorities will be the same next year as they were last year.

We need to do our work. We need attention. The appropriations process should begin. And I ask my colleagues to give serious thought to helping accomplish that.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. COTTON).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, earlier today the Senate moved forward with the President's nominee to head up the Office of Management and Budget, Congressman MULVANEY. Congressman MULVANEY spent years representing the people of South Carolina and has been thoroughly engaged on budget issues during his time in the House of Representatives.

He has highlighted the fact that the Federal Government is on an unsustainable fiscal path if nothing changes in Washington, DC, and that it is reckless to keep running up the Nation's credit card with trillions in more debt and unfunded liabilities, not to mention the immorality of passing down to the next generation the obligation of actually paying that money back.

So Congressman MULVANEY is actually, I think, a very good choice for this critical role, and I look forward to voting on his confirmation soon.

TRADE

Mr. President, I want to weigh in briefly on the issue of trade. During the Presidential campaign and since then, there has been a lot of talk about international trade. It has led to a healthy debate about lopsided trade deals—whether bilateral trade deals or multinational trade deals actually are better—and how best to leverage trade to help American workers and consumers.

In my State of Texas, there is no question trade delivers in two ways. One, it helps Texas families stretch their paychecks by providing greater access to more affordable goods. That is a good thing. And two, it helps our farmers, our ranchers, our small businesses, and other manufacturers access more customers around the world.

Texas continues to lead the Nation as the top exporting State, and it has done so for about a decade now. It is one reason our economy has done better than the national economy in recent years. And it is estimated that Texas trade supports more than 1 million jobs currently.

But it is important to understand that our economic partnership with Mexico has been a key part of that success, and that is thanks, in part, to the North American Free Trade Agreement, or NAFTA, the trade deal between the United States, Mexico, and Canada.

Our southern neighbor is our largest export market, with more than one-third of all Texas goods—including ag products and manufactured goods, to the tune of close to $92 billion a year—heading south of our border because of NAFTA and trade. Well, this may not be universally true around the country, but suffice it to say that in Texas, NAFTA has been a big success for our economy. And because Texas has been leading the Nation in terms of economic growth and job creation, I think it is fair to say that it has helped the Nation as a whole not recede into a recession with the anemic growth rates that we have seen since 2008.

It is not just that my State benefits from the deal. The agriculture industry across the country benefits greatly. Mexico is one of the biggest buyers of crops grown in the United States, like corn. In fact, Mexico is the third biggest export market for American agriculture.

NAFTA is not just critical to my State, but for those far away from the southern border, as well, like Ohio and Michigan, which export a majority of their goods to NAFTA partners. I think it is important to acknowledge the fact that roughly 6 million jobs in the United States depend on bilateral trade with Mexico.

But here is the truth: The world looks a lot different today than it did 20 years ago when NAFTA was negotiated, and there is ample opportunity to work with our partners to craft a better deal for the United States. We can update it to be even more constructive and an even bigger driver of the U.S. economy.

Trade is essential to our economy, and I believe the administration agrees with me on that. In my conversations with Mr. Ross, who will head up the Department of Commerce, and others—the trade negotiator and the like—they all tell me that this administration is pro-trade, although they are skeptical of large multinational trade deals like the Trans-Pacific Partnership.

We have also recently heard the President himself talk about the importance of our relationships with countries like Canada and Japan. During the visits of the Prime Ministers of

each of those countries in the last week, with both heads of State, the administration continues to stress the importance of robust trading partnerships. And the President has made it clear that he supports those.

I believe that good trade deals help everyone, so I want to be clear that the United States is not retreating from the global economy, as if we even could. With more than 95 percent of the world's consumers outside of our borders, our citizens rely too much on free trade and fair trade to turn inward and retreat.

Texas certainly proves that trade deals can help everyone from manufacturers to farmers, to small businesses, all of whom find more markets for the goods they make or grow. That, in turn, creates more jobs and provides greater access to more goods for consumers. And it is a good example for the broader U.S. economy as well.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I rise in strong opposition to the nomination of Congressman MICK MULVANEY to be the Director of the Office of Management and Budget. Based on his appearance before the Senate Budget and Homeland Security Governmental Affairs Committees, he appears to be a smart and articulate individual, but after examining his record and his testimony, I believe he lacks the fundamental judgment to serve in this important role.

Mr. MULVANEY's tenure as a Member of Congress has been marked by symbolic stands and stunts that have been most successful in generating bipartisan opposition rather than support. Until now, it has mattered little whether his proposals have been motivated by firmly held principles or other motives. We have just been fortunate that few of Mr. MULVANEY's ideas have been made into law. However, with an appointment to a position of real authority at OMB, Mr. MULVANEY will have great power to put his ideas into practice. For that reason, it is worth reflecting on the positions he has taken.

At times of national fiscal and economic turmoil, Congressman MULVANEY could consistently be found among those stoking the flames of pandemonium in order to advance a partisan or ideological point. Indeed, he was among those Republican Members of Congress who cheered efforts to force the country to default on our financial obligations in 2011, dismissing the domestic and global alarm over Republican brinkmanship as ''fear mongering'' and as promoting a ''fabricated crisis.''

In 2013, he voted to support the Republican shutdown of the Federal Government, which ultimately cost American taxpayers $2 billion in back wages for Federal workers who were locked out of their jobs. In addition to this and other fiscal waste, the 16-day shutdown hurt the economy. Moody's estimated that it ''cut real GDP by $20 billion, shaving half a percentage point off growth in the fourth quarter [of 2013].''

In 2015, Mr. MULVANEY was part of another Republican shutdown effort. This time it was to shutter the Department of Homeland Security to protest President Obama's immigration policy. Thankfully, House Republicans relented before the shutdown took effect. Otherwise, the closure would have caused about 30,000 furloughs and about 200,000 other people, including Coast Guard personnel, TSA, ICE, Border Patrol and Customs officers, to report to work, most of them without the promise of a paycheck.

When Americans have suffered natural disasters, Mr. MULVANEY has shown himself among those who are the least sympathetic about providing Federal assistance, insisting, for example, that emergency aid for the victims of Hurricane Sandy should be offset. He has at least been consistent in this regard, since he voted against similar aid to his home State of South Carolina. Of course, his opposition in that instance was mainly symbolic because it was a foregone conclusion that the bill would pass. But this should give every American pause. Mr. MULVANEY's record of supporting brinkmanship and his responses to written questions show that his first instinct will be to use any one-time emergency as an opportunity to force lasting budgetary cuts.

I am also concerned about Mr. MULVANEY's intentions with regard to the elimination of the sequester-level budget caps. In 2013, with sequester cuts on the horizon, Mr. MULVANEY ruled out revenue increases or scaling back the sequester. He said: ''We want to keep the sequester in place and take the cuts we can get.''

As the nominee to OMB director, Mr. MULVANEY now believes, like President Trump, that the sequester caps should be lifted for defense, but he has made no allowance for nondefense discretionary programs and agencies, including the FBI and the Department of Homeland Security. Mr. MULVANEY has thus far failed to grasp that there is simply no way to secure support for sequester relief without addressing both the defense and nondefense sides of the ledger. Moreover, he has not recognized that it is repugnant to many to suggest that one side of the budget can be cannibalized to fund the other side. The best way to fund sequester relief is through the proven combination of additional revenue and reasonable cuts. It has worked before, and we should look to that solution again.

We should also reject efforts to use Overseas Contingency Operations accounts, or OCO funding, to fill the gap when it comes to defense spending. It is not a legitimate tool to fix the sequester. Despite my many disagreements with Mr. MULVANEY, this is one point where we do appear to see roughly eye to eye in terms of using the OCO for those overseas contingencies they were designed to fund.

Where we disagree most vehemently is on the matter of core programs that help Americans lift themselves up so they can participate fully in our economy and society. Although he has recently changed his position, Mr. MULVANEY, as a State legislator, voted for legislation that questioned the constitutionality of Medicaid and Social Security, and today he still questions the constitutionality of Federal involvement in education. This is more than a philosophical stand. His position will color how the administration invests in schools and students over the next 4 years. I am especially disturbed that Mr. MULVANEY is not even willing to commit to protecting funding for the Pell Grant Program and to reducing college debt, a burden faced by students and their families all across this country.

I have also been disturbed by Mr. MULVANEY's cavalier position about benefit cuts to Social Security and Medicare, by such measures as increasing the retirement age. Let's be clear. When you force a person to wait 2 or 3 more years to begin collecting the full benefits they have earned, it is a cut. If poor health or lack of job prospects forces a person to begin collecting benefits before reaching the normal retirement age, he or she will see a significant reduction in monthly benefits.

These cuts fall heaviest on the most vulnerable—low-income workers and workers in the most physically demanding jobs, those who simply cannot continue to work for another few years. We can make changes to sustain these programs without the deep cuts to benefits that Mr. MULVANEY would promote.

In this one area, I would hope the President could prevail over his staff. Many times during the campaign, President Trump promised to protect Social Security and Medicare. In fact, last March he said: ''It's my absolute intention to leave Social Security the way it is. Not increase the age and to leave it as it is.''

It remains to be seen how sincere the President is on this issue. Last month, he was effectively rebuffed by 49 Republicans who voted successfully to kill Senator SANDERS' amendment to create a point of order that would prevent the Senate from breaking President Trump's promise that ''there will be no cuts to Social Security, Medicare, and Medicaid.''

Unfortunately, the President said nothing about this vote, which should lead all Americans to ask how committed he is to his promise. His choice of Mr. MULVANEY also leaves me concerned that he is not sincere about this

promise, since Mr. MULVANEY seems clearly intent on making cuts to these vital programs.

Mr. MULVANEY has also proven himself unsympathetic to the challenges facing working men and women in this country. He has sponsored legislation to bar the Federal Government from requiring project labor agreements. He has voted to repeal Davis-Bacon prevailing wage requirements, and he has cosponsored legislation to undermine the ability of workers to collectively bargain.

Moreover, Mr. MULVANEY failed to pay more than $15,000 in unemployment and FICA taxes for a household employee between 2000 and 2004, only making good on that obligation during his nomination process. Even if this could be characterized as an oversight, it is worth noting that Mr. MULVANEY has previously proposed legislation to bar tax delinquents from serving in elected office in South Carolina and to authorize supervisors of Federal employees to take punitive action against workers who have failed to pay taxes.

One wonders how Mr. MULVANEY would feel about the fitness of a Democratic nominee with a similar challenge.

Finally, let me say a few words about Mr. MULVANEY's laissez-faire approach to regulation, particular the oversight of Wall Street. I believe strongly that the lack of effective regulation, the lack of oversight, and the lack of appropriations for the financial regulatory agencies contributed heavily to the great recession, which is why I worked so hard to support the adoption of the Dodd-Frank Wall Street Reform and Consumer Protection Act, including the creation of the Consumer Financial Protection Bureau (CFPB).

Mr. MULVANEY, not surprisingly, takes a different view. As a member of the Financial Services Committee in the House, he said: ''I don't like that the Consumer Financial Protection Bureau exists.'' The CFPB is a consumer-focused agency that has brought nearly $12 billion in refunds and restitution to consumers for Wall Street's abuses. This includes more than $120 million that have been returned to our military families through the efforts of the Bureau's Office of Servicemember Affairs, which I worked with Senator Scott Brown of Massachusetts to establish.

Because of the Dodd-Frank Wall Street Reform and Consumer Protection Act, working Americans have an advocate in the consumer finance marketplace that is laser-focused on protecting them. Mr. MULVANEY would prefer to transform this agency into a paper tiger that is subject to partisan political pressure and influence from the various industries it is attempting to police. We should not allow him the chance to do that from a perch at OMB.

The country has been fortunate that House Republican leadership, with good reason, in my view, did not reward Mr. MULVANEY with a position of authority from which he could exercise real control. Unfortunately, the promotion that President Trump has offered would give him great power—power that will ultimately, I believe, be destructive in his hands. As a result, I urge my colleagues to oppose this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow my distinguished colleague from Rhode Island who has been such a champion for working people and economic progress in manufacturing and economic fairness so that our country as a whole can advance together.

I am proud to be a Senator who fights to preserve, protect, and strengthen the safety net for all Americans, as my colleague from Rhode Island does, and many of us here do. So I come to the floor to speak on Congressman MICK MULVANEY, with reluctance and sadness, because he is out of the mainstream and, really, an adversary of programs that assure that safety net and basic fairness that is at the core of our great democracy and our economic system.

I oppose his nomination to serve as Director of the Office of Management and Budget, hardly the best known of agencies and not necessarily the most glamorous or glitzy but among the most important. His position is among the most consequential because he serves as an economic adviser, as well as an allocator of funding throughout the Federal Government and a leader on important social programs.

He has proved strongly antithetical to those programs that have made America great: Medicare, Social Security, and other efforts, including the Affordable Care Act, which are essential to our future.

He has broad responsibilities for our Nation's budget. He also has important oversight responsibilities about Federal rulemaking—those unglamorous, sometimes invisible regulations and rules that affect real lives and livelihoods throughout this country. They establish rules of the road in industry. They establish access for people to Federal programs. They provide an essential means of achieving fairness in our democracy—that important process that agencies use to enact safeguards, for example, that keep our air and water clean and our workplaces safe.

Congressman MULVANEY's positions on these vital issues are out of step with American values, out of the mainstream of American popular opinion, and out of the area of acceptability in terms of basic public interest.

Our economic reality is characterized by one simple stark economic fact: Burdens are falling hardest on the people who can least afford them. I am not talking about people at the lowest rungs of income or wealth but middle-class Americans who work hard and who have seen their incomes stagnant over 5 years, 10 years, 20 years. Stagnating incomes and stagnating futures destroy the American dream.

So the Federal Reserve, for example, has reported in 2014 that average incomes have remained flat or fallen for all but the most affluent 10 percent of American families. That is a staggering fact about our economic system and its ability to deliver for Americans generally. That is the context for this nomination. I consistently hear from my constituents in Connecticut that income has failed to keep pace with overall economic recovery. Even as Wall Street has risen, Americans see nothing but stagnant income, sometimes falling economic prospects. Things have gotten better, but good jobs are still out of reach for far too many.

Retirement for increasing numbers of baby boomers makes it all the more vital that we protect and strengthen our safety net. The safety net is not the sole answer to larger challenges that must be solved by robust economic growth. That has to be our priority—economic growth in Connecticut and around the country. But increased opportunity depends on growth for ourselves and for our children—my wife and my four children and our way of life.

In fact, President Trump himself seemed to recognize this economic fact, one of the few areas where we agree, because he pledged during the campaign to keep our Nation's safety net firmly, irrevocably intact—not to make any cuts to Social Security or Medicare. He pledged and promised.

Now, who is his nominee to be head of the OMB, that crucial agency with responsibility for Social Security, Medicare, and Medicaid? MICK MULVANEY has an affinity for draconian budget cuts and far-right positions that are completely out of step with this promise and pledge.

The President must have reversed himself or revoked his promise, because Congressman MULVANEY has spent his entire political career crusading against exactly these programs that keep millions of Americans out of poverty. Social Security is one of the great achievements of our American democracy. In fact, it is one of the greatest achievements the world has known because it has allowed this Nation to promise its people that they can avoid crushing poverty if they simply work hard and if they contribute to this program that is a form of insurance.

It is not a gift. It is not really an entitlement. It is an insurance program. It makes us a humane and decent nation. We care for people who have worked hard all of their lives and need to be protected so they need not depend on their children or their grandchildren.

Congressman MULVANEY has called Social Security a ''Ponzi scheme.'' Tell that to the Social Security recipients

in Connecticut. Tell that to the working people of Connecticut. He is out of step with working people and middle-class people who know that Social Security does not contribute to the Federal budget deficit, and it is not the Ponzi scheme that Congressman MULVANEY mischaracterizes it as being.

It is fashionable on the far right to use that characterization, suggesting it will run out of money unless severe restrictions are put in place. He has championed those kinds of restrictions—means testing, for example, and raising the retirement age. Those proposals are a disservice to hard-working Americans who reach that retirement age having been promised that they would receive Social Security when they did or work hard to make Social Security work for them, without a means test, without anybody asking them to fill out forms or disclose their incomes and establish standards or tests that make them ineligible.

It is true that there are changes to these programs that may be necessary. In fact, I proposed a plan for enhancing Social Security, making it a stronger insurance program by raising the cap on the payment of taxes that are due and other kinds of reforms that will more properly allocate the burdens but not means-testing, not raising the retirement age, which are radical and draconian favorites of the far right. Lifting the payroll tax cap so the wealthiest Americans contribute their fair share, as I have proposed, will keep this program solvent for decades into the future.

The only reason to reject the commonsense changes I have proposed is a political aversion to raising taxes on anyone at any time, even the wealthiest individuals or the most powerful and profitable companies, which is the mantra of people who have climbed the ladder and want to raise it so that no one else has access to those top rungs. It makes no sense to me that we would ask great sacrifices of our senior citizens but do nothing about eliminating the loopholes that privilege some of the most affluent people and the largest and most profitable companies in the world.

We should not and must not use the Social Security trust fund as a means to pay down the debt or reduce the deficit or gamble with the hard-earned benefits 61 million Americans rely on during their retirement. Those 61 million Americans, who come from all of the States and all over the Nation, are represented in this Chamber, and they deserve better than MICK MULVANEY's far-right radical ideas that would restrict their Social Security. He fails to recognize this reality and would prevent Social Security from continuing to flourish and provide the stability so essential to this great Nation—already the greatest Nation in the history of the world because of programs like Social Security and Medicare.

Speaking of Medicare, Congressman MULVANEY's proposal for Medicare also betrays the President's promise to leave Medicare intact. He has been vocal, absolutely frank about his support for tearing down Medicare, going as far as to say: ''We have to end Medicare as we know it.'' Do we really have to end Medicare as we know it, tear it down, destroy it? That is what MICK MULVANEY says. That betrays President Trump's promise to keep Medicare intact.

MICK MULVANEY has also supported proposals to privatize this lifesaving healthcare program by turning it into a voucher system, which would effectively gut its promise of guaranteed health benefits. A ''voucherized'' Medicare would be devastating for our Nation's seniors. Many of them are already on fixed incomes. This plan would allot them a fixed amount of funds—fixed funds to purchase all of their health insurance, which would result in higher premiums and increased out-of-pocket costs. Connecticut seniors deserve better than MICK MULVANEY's efforts to restrict Medicare in such a disruptive and destructive way.

Congressman MULVANEY's actions and statements on Medicare point to a future budget director who has no intention of keeping the President's promise to protect this crucial health program. This country counts on its next budget director to prioritize facts and responsibilities and the public interest above political games; to rely on real facts, not alternate facts.

Our budget, our deficit, our national debt are, in fact, fact-bound and fact-based. The world relies on real facts when it looks at the American economy, and the people who work in that economy, whether they are young or old, veterans or civilians, depend on real economic growth. Yet Congressman MULVANEY's reckless approach to fiscal issues has jeopardized this country's stability, causing real danger for the sake of ideology. That approach in the Congress has led to uncertainty and unpredictability, which are the bane of small- and medium-size businesses, which are, in turn, the major job creators in our society and economy.

Congressman MULVANEY's extreme views already have negatively impacted the American economy. While in the House of Representatives, he led efforts to leverage the threat of a government shutdown as a tactic to push for specific demands, which included radical anti-choice policies, measures antithetical to women's healthcare and the right of privacy, including defunding Planned Parenthood.

As one of the most senior economic advisers to the President and the head of OMB, he would have immense responsibility to influence this administration and the President. His outright disregard for the harm caused by a government shutdown—a tactic that jolts and jeopardizes our economy and disrupts the lives of millions of Americans—should itself alone disqualify him from this critical role within the Federal Government.

He also sought government shutdowns as well to block the implementation of the Affordable Care Act, which has helped so many people in Connecticut receive the coverage and care they need. I could spend a lot of time talking about the benefits people in Connecticut have received from the Affordable Care Act. Its future is key to the financial future of this country, but MICK MULVANEY has consistently advanced misconceptions and mistruths about the nature and functioning of this law.

Again, we can agree to disagree on policy, but misrepresenting the truth and relying on alternate facts is exactly what the budget director should not be doing. He is the one whom we rely on for real facts about our economy and our budget.

Even more worrying was Congressman MULVANEY's archaic approach to addressing the debt ceiling. In the face of all evidence, he flatly stated that he did not believe this country would default on its debt as a result of the failure to raise the debt ceiling. Economics 101: The debt ceiling, if it is not extended—that means a default.

Experts across the political spectrum agree that a breach of the debt ceiling, and consequently our Nation's full faith and credit, would be catastrophic. I am absolutely unable to vote for someone who fails to recognize that basic economic truth and takes this threat so lightly.

Finally, Congressman MULVANEY has demonstrated a near reflexive hostility to Federal agencies and the important work they do. As with so many of the President's nominees, unfortunately, he seems to be hostile to the very mission and purpose of the agency he is going to lead—whether it is the EPA or the Department of Labor or other agencies where nominees have taken stands that, in effect, say: Let's dismantle and destroy this agency. Yet they are the ones who are supposed to be leading and inspiring its efforts.

I believe that government could be more efficient and responsive. Waste ought to be eliminated. Fraud ought to be prosecuted. I am eager to work with my colleagues on good-faith proposals to achieve these goals.

Federal agencies remain vital to important public purposes that people cannot achieve on their own. They cannot clean our air and water on their own. They cannot ensure public safety through policing on their own. They cannot make sure our national defense is strong on their own. A whole myriad of functions depend on a functional Federal Government. Commonsense rules that prohibit excessive pollution or unsafe working conditions protect all of us.

As the head of OMB, which includes offices that oversee Federal funding, he has a responsibility to make sure that rules are enforced and that people are protected. Yet he has opposed the existence of the Export-Import Bank, an

institution that is critically important to so many of our job creators, big and small businesses in Connecticut and around the country.

He opposed emergency funding for the victims of Hurricane Sandy, despite the devastation caused by this terrible storm, which was unleashed in Connecticut and nearby States.

He has questioned the need for government-funded research, despite the myriad advances in science and medicine that have come from government laboratories and research institutions.

His record shows that he would be the wrong person for this job, harming our safety net and our fiscal stability. I oppose his nomination, and I urge my colleagues to do the same.

I yield the remainder of my postcloture debate time to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

Mr. BLUMENTHAL. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I yield my postcloture debate time to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

Mr. COONS. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

NOMINATION OF NEIL GORSUCH

Mr. FLAKE. Mr. President, as I did last week and as I will continue to do until he is confirmed, I rise to support the nomination of Judge Neil Gorsuch to serve on the Supreme Court. Judge Gorsuch is an accomplished, mainstream jurist. I look forward to helping make sure he receives an up-or-down vote here on the Senate floor.

After meeting with Judge Gorsuch and learning more about his judicial philosophy, I continue to be impressed by his humble respect for the law and by his commitment to service.

Before the Judiciary Committee begins our hearings, I want to highlight aspects of his jurisprudence that qualify him to serve on our Nation's highest Court and make him an ideal candidate to fill such a consequential position.

Earlier this month I spoke about his fitness to fill Justice Scalia's seat, as well as his respect for the separation of powers. Today I would like to focus on his approach to religious freedom.

I have always supported religious freedom as a universal principle. It doesn't matter if we are defending our own First Amendment right to the free exercise of religion here at home or standing up for the religious freedoms of people under repressive regimes abroad, our country has always valued the right of individuals to practice their faith as they please.

Just as religious freedom is part of our national character, it also provides insight into the character and judicial philosophy of a prospective justice. When I had the privilege of meeting with Judge Gorsuch last week, I asked him about his thoughts on religious freedom. I was struck by his ability to plainly articulate his understanding of the law and the Constitution. He explained his religious liberty opinions by telling me that he simply went ''where the law led him.'' His explanation was indicative of his fundamental approach to interpreting the law. Judge Gorsuch doesn't make the law; he follows the law. He reads the Constitution as the Framers understood it. He interprets laws the way they were written.

Lately, our colleagues on the other side of the aisle have been vocal about the importance of respecting our independent judiciary. I couldn't agree more. They have decried the perils of discriminating on the basis of religious belief. Well, they are in luck. The Supreme Court nominee before us would be a staunch defender of independent courts and religious freedom. All they have to do is help us confirm him.

I don't blame them for wanting to do their homework on a Supreme Court nominee. They should, as should we all. They will find that studying Judge Gorsuch's record will make for enjoyable reading.

On the Tenth Circuit Court of Appeals, Judge Gorsuch has authored a number of judicial opinions respecting the fundamental principles of religious liberty. His most notable was a concurring opinion in the Hobby Lobby case. In this landmark legal case interpreting the Religious Freedom Restoration Act, Judge Gorsuch ruled that the Federal Government cannot force individuals to assist in conduct that violates their deeply held religious convictions. I note that this law used to be noncontroversial. The Religious Freedom Restoration Act was introduced by Senators Ted Kennedy and then Congressman CHUCK SCHUMER. It was passed almost unanimously in 1993 and signed into law by President Bill Clinton.

In his concurrence, Judge Gorsuch wrote: ''The [Religious Freedom Restoration Act] doesn't just apply to protect popular religious beliefs: it does perhaps its most important work in protecting unpopular religious beliefs, vindicating this nation's long-held aspiration to serve as a refuge of religious tolerance.''

Religious tolerance—that is what our country stands for, and that is what Judge Gorsuch stands for. Judge Gorsuch's position was later vindicated by the Supreme Court. The Court agreed that it is the government's job to protect an individual's ability to practice their religion, not to instruct them on how to practice their religion.

In closing, let me reiterate that I believe Judge Gorsuch is a mainstream jurist who will uphold the Constitution to ensure justice for all, regardless of an individual's religious beliefs or which administration is in power. As someone who embraces religious freedom, it is a privilege to support and confirm a judge like Neil Gorsuch, who respects this central constitutional principle. As I have said before, and I will say again, Judge Gorsuch deserves fair consideration by those who serve in this body, and he deserves an up-or-down vote on the Senate floor. He should be confirmed overwhelmingly, and I am confident he will be.

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.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ANDREW PUZDER

Ms. WARREN. Mr. President, on December 8, Donald Trump nominated Andrew Puzder to serve as Secretary of Labor. He was scheduled to come before the HELP Committee tomorrow for his confirmation hearing. There is some reporting suggesting that he is having some second thoughts, and I sincerely hope that is true. The reasons Mr. Puzder is a terrible choice for this job are literally too numerous to cover fully, but I will at least give it a start.

If you work for a living, the Labor Secretary is very important to you. This person is responsible for protecting the interests of 150 million American workers. He will be the person responsible for enforcing the law that ensures that employers actually pay workers for every hour they work and setting the standards to prevent workplace injuries and even deaths.

Unfortunately, Mr. Puzder is not the kind of person the American people can trust to stand up for workers. Since 2000, Mr. Puzder has served as the CEO of the billion-dollar company CKE Restaurant Holdings. You may know it better as the parent company of Carl's Jr. and Hardee's. These two fast-food chains are known for paying very low wages to workers. Mr. Puzder has a long record of cheating workers out of overtime. He has paid out millions of dollars to settle claims when he was caught cheating. We are not talking about isolated incidents. They reflect the kind of business Mr. Puzder built. Mr. Puzder is a frequent political pundit and commentator who has vocally opposed higher minimum wages. He has also strongly opposed new overtime protections that would give 4 million workers an estimated $1.5 billion raise in a single year.

Mr. Puzder also delights in expressing personal disdain for his workers. He bragged in his very first memo as CEO. He wrote that he wanted ''no more people behind the counter unless they have their teeth.'' Ha, ha. He said he would like to replace his workers with robots because ''they are always polite, they always upsell, they never take a vacation, there's never a slip-and-fall, or an age, sex or discrimination case.''

The Senate has an obligation to hear from those who are best qualified to

tell America about Mr. Puzder's suitability to be Labor Secretary and to stand up for American workers—his own workers. That is why many of us asked the chairman of the HELP Committee to include Mr. Puzder's workers in his confirmation hearing. When the chairman refused to do so, we just went ahead and convened our own forum to allow those workers a chance to speak.

Seventeen Senators attended. Those 17 Senators heard from Laura McDonald, who worked as a general manager at Carl's Jr. in Tucson, AZ, for 20 years. For years, she was forced to work extra hours without pay. Employees like Laura are the subject of a major lawsuit against Mr. Puzder's company, CKE, regarding unpaid overtime.

Those 17 Senators heard from Lupe Guzman, who is a single mother who has devoted the last 7 years of her life to Carl's Jr. in Las Vegas, NV. She has worked the graveyard shift for rock bottom wages. Seven years of loyalty, and Lupe is still paid so little that she is on food stamps to feed her kids. Lupe sat in front of the U.S. Senate and wept openly about her terrible treatment at the hands of Mr. Puzder's company.

The Senators also heard from Roberto Ramirez, who has worked in the fast food industry for over 20 years, mostly at Carl's Jr. in Los Angeles, CA. He worked regularly off the clock at Carl's Jr., meaning they didn't pay him. Roberto even had a full paycheck stolen by his manager.

For every Laura, Lupe, and Roberto, we found dozens of workers who were afraid to speak out about the terrible conditions at CKE. We compiled some stories from folks brave enough to speak up into a 20-page report detailing firsthand accounts of the men and women who work for Mr. Puzder. Those stories are horrifying, and I will read some of them later today.

Mr. Puzder's company has a truly atrocious record of treating his own workers terribly. Indeed, he has dripping disdain for people who work for a living. This alone disqualifies him to be Secretary of Labor.

But there is more. In recent weeks, it has come out that Mr. Puzder employed an undocumented immigrant in his household for years, and he didn't pay taxes on that employee. Yep, you heard that correctly. The Trump administration, which bellows about building a wall and pounds its chest about ripping millions of families apart with a deportation force, threatens millions of DREAM Act kids with deportation, has no problem putting a guy in charge of the Labor Department who cheats on his taxes and employs undocumented workers. The hypocrisy of that is pretty stunning, even for the Trump administration.

And then there is the controversy over alleged spousal abuse. Over 25 years ago, Mr. Puzder's first wife appeared on an episode of Oprah Winfrey in a show about spousal abuse. I have watched the episode in which she appeared, as I believe every Senator should. I found it extraordinarily troubling.

Alongside his company's poor record of treatment of female employees, his highly explicit and sexualized ads, and his snide comments about sex discrimination, there is ample evidence that Mr. Puzder is a terrible choice to head the agency charged with ensuring that women and men are treated fairly in the workplace.

I understand that no matter who President Trump picks to run the Labor Department, I am probably going to have a lot of issues with that person, but this is different. Andrew Puzder should not be the Labor Secretary. And if you ask the Senators in this body—Republicans and Democrats—if you ask them behind closed doors with the cameras turned off, you will have a hard time finding people who think this divisive nomination is good for the country.

It has been suggested that Mr. Puzder is ''tired of the abuse'' that he has received during this confirmation process. Well, I think the workers at his companies are pretty tired of the abuse they have received while being at the mercy of an employer who doesn't care about them at all and who goes out of his way to squeeze them out of every last dime. That is literally the opposite of what we need in a Labor Secretary.

I was prepared to question him on these issues tomorrow, but I hope it is true that he will withdraw his nomination before then.

Mr. President, I also rise today to express many concerns over the appointment of Congressman MULVANEY as Director of the Office of Management and Budget and to urge my colleagues to seriously consider these issues before voting to confirm him.

One of the best ways to understand what a nation stands for is to look at its budget. It is all right there. The budget tells who counts, it tells who gets a chance, and it tells who gets cast aside.

The OMB Director prepares the President's budget. He safeguards the President's promises by turning them into real commitments backed by your tax dollars.

During the campaign, President Trump promised over and over again that he would protect Medicare and Medicaid. He didn't imply it; he didn't drop hints about it. No, he made the clearest, plainest possible promise. He said: ''I am not going to cut Medicare or Medicaid.''

But since the election, he has done a complete 180. He put up a transition team website that just dripped with code words for cuts, saying that he would modernize and maximize flexibility for these programs. Gone were the unambiguous promises to protect Medicare and Medicaid.

Then he started nominating people who have made it their life's work to gut Medicare and Medicaid. His Secretary of Health and Human Services has proposed cutting more than $1 trillion from these programs, and now his nominee for OMB Director is someone who wants to cut Medicare and Medicaid to the bone.

Congressman MULVANEY has voted to increase the retirement age for Medicare. Hey, you have paid into that program with decades of hard work? Too bad, just keep waiting.

He also wants to privatize Medicare, and he wants to slash and burn his way through Medicaid—a program that is a lifeline for millions of people—for parents of people in nursing homes, for people with disabilities, for premature babies.

In his confirmation hearing, Congressman MULVANEY was asked whether he would set aside his rightwing ideology to fulfill the President's campaign promises to protect Medicare and Medicaid. The Congressman could not have been clearer in his response: Forget all of that. Nope, not interested. MULVANEY is still a true believer in Medicare and Medicaid cuts, and whenever he has the President's ear, he will continue to advance his own radical ideas for burning down these indispensable programs.

President Trump also promised that he would not cut Social Security. He guaranteed it. Here is his quote—many times: ''We're going to save your Social Security without making any cuts,'' he said.

Here was his closer on that: ''Mark my words.''

OK. Nice words. But he could have picked someone—anyone—to run his budget, and instead he picked Congressman MULVANEY—one of Congress's most partisan crusaders against the Social Security program. He wants to raise the retirement age to 70. Heck, this is a person who calls Social Security a Ponzi scheme, and, boy, he is not messing around, either.

During his confirmation hearings, Congressman MULVANEY doubled down on his promise to rob American workers and retirees by gutting Social Security. When pressed by Republican Senator LINDSEY GRAHAM about whether he would urge President Trump to reconsider his promise not to cut Social Security, hey, MULVANEY said that he absolutely would.

Is this just a mistake? Did President Trump just pick Congressman MULVANEY by accident? The Congressman certainly doesn't seem to think so.

At his hearing he said: ''I have to imagine that the President knew what he was getting when he asked me to fill that role.''

Yes, MULVANEY himself believes he is being brought in to push for cuts in Medicare and Medicaid.

Trump reverses his promise, a second person determined to cut Medicare and Medicaid makes it into a key government role, and who will pay the price? America's seniors, that is who.

Apparently, Congressman MULVANEY isn't satisfied with cutting benefits for

Americans who have worked and paid into the program for their entire lives. When it comes to abandoning American workers and families, for him, that is just the beginning.

He has also called the Consumer Financial Protection Bureau ''a sick, sad joke.'' Maybe he should spend a little more time talking to his constituents and a little less time talking to bank lobbyists.

The CFPB has helped thousands of people in every State—including dozens of people in Congressman MULVANEY's own district—recover unauthorized fees on their credit cards and checking accounts. It has helped them to correct errors on their credit reports. These are students, seniors, servicemembers, and veterans, who may have spent months haggling with their bank or student loan servicer over a wrong charge, only to get quick and complete relief after they went to the Consumer Financial Protection Bureau.

In total—the agency has only been up for about 5½ years now—it has forced the largest banks across this country, many of those who have been out there cheating consumers, to return nearly $12 billion directly to the people they cheated. That is $12 billion that was stolen by big banks, by payday lenders, by debt collectors, and is now back in the pockets of the people who rightfully earned it.

The only sick, sad joke is that Congressman MULVANEY thinks we should turn the big banks loose to prey on American families once again.

Under Congressman MULVANEY's budget, Americans who have been cheated and scammed by huge financial institutions will just be cast aside. Families who work hard for every dollar, only to have some ruthless corporation steal their savings right out from underneath them, will be cast aside. And the millions of Americans who have worked for decades planning to collect Social Security or Medicare when they retire will be told to just wait four more years. They will be thrown straight to the curb. None of that—none of that—is what America stands for.

That is just the stuff that directly contradicts the President's campaign promises. The stuff that is totally in line with the President's campaign promises is genuinely scary too.

On the campaign trail, Donald Trump stated that he ''may cut the Department of Education.'' Will Congressman MULVANEY stand up for students? Unlikely.

Congressman MULVANEY's record shows that he is fine building a Federal budget that crushes students who are trying to get a college education. Students already pay too much for student loans, and Congressman MULVANEY's solution is to force students to pay more. He supports forcing more college students to borrow more money from private banks that charge sky-high interest rates without any of the basic protections Federal student loans have. He clearly wants to let private banks and Wall Street squeeze as much cash out of hard-working students as humanly possible to build their profits. In fact, Congressman MULVANEY wants to help these giant banks out even more by taking a sledgehammer to the Federal student loan program and making Federal loan terms lousy for students. That is why he repeatedly voted to eliminate subsidized student loans for low-income students and why he helped block legislation to allow borrowers to lower their monthly payments by refinancing their student loans to lower interest rates. Not only has he voted to increase the interest rates the government charges students, he has also voted to cut Pell grants to poor college students. If Congressman MULVANEY had his way, millions more hard-working students would be shoved even deeper into debt at the start of their working lives just because they couldn't afford the high cost of college. Under his budget, students will just be cast aside.

In his confirmation hearing, Congressman MULVANEY also said he is ''in lockstep'' with Donald Trump's plans to grow military spending, but he said he would pay for that increase in funding with deep cuts to domestic programs that working men and women around the country depend on—programs that could easily include Head Start, which provides opportunities for low-income children; the disaster aid, which supports families in crisis after a hurricane or tornado; or resiliency programs to protect America as worldwide climate changes.

Listen to that again. The children who attend Head Start can stay home so Donald Trump can divert more money to military spending. The people who get buried in a 100-year snowstorm can stay buried so Donald Trump can divert more money to military spending. The people who live near coasts and rivers and streams can be washed away by rising oceans and other waterways so Donald Trump can divert money to military spending—and this nominee, Congressman MULVANEY, is in lockstep to make it happen.

Under President Trump's new one-in, two-out Executive order, it is Mr. MULVANEY who would have discretion to give each agency a regulatory budget and to approve any proposed regulations that increase that budget. The order is supposedly designed to make life easier and to make government work better, but Congressman MULVANEY isn't interested in making government work better, and he is certainly not interested in making life easier. In fact, he has spent his entire political career working to cripple the agencies that protect American families—American workers, American consumers, and American small businesses. Nowhere is this clearer than in his attacks on the Federal agencies that protect consumers, that preserve our environment, and that help keep our country safe. He has worked to starve agencies of the resources they need to do their jobs, voting to cut funding to law enforcement, voting to gut the Social Security Program, and voting to completely defund the organization that provides critical legal services to low-income American children, families, seniors, and veterans.

But it is not enough for him to starve agencies to the breaking point. He has also supported radical bills to stop agencies from issuing regulations that keep our air clean, our food safe, and our economy from suffering another devastating financial crisis. Congressman MULVANEY wants to require agencies to adopt a bill that imposes the least costs on big businesses, even when those costs are about making sure companies don't cut corners by cheating, poisoning, and killing people. Look, if it is cheaper for a corporation to kill you than it is for the corporation to redesign the product or clean up their mess, Congressman MULVANEY stands with the corporation. I am sure he would be willing to say something nice at your funeral about how your contribution helped give the corporation record profits.

If all that wasn't bad enough, Congressman MULVANEY is ready to rock and roll on secret money in politics. Washington is already awash in dark money, but that is not enough for Congressman MULVANEY. He has worked to open the doors even wider to secret spending in politics. Over and over, he has voted to shield the identity of political donors, keep them secret. For example, he opposed a rule that required corporations applying for government contracts to disclose their political contributions. Again, just think about that one for a minute. He doesn't want corporations that bid for government contracts to be forced to tell when they give money to help targeted government officials. We already have a problem with money in politics. MULVANEY just wants to make it worse.

Congressman MULVANEY's record shows one thing. He will make sure our Federal Government works well for giant corporations and billionaires who don't like to play by the rules, and he will cast aside the rest of the public to do that. That is definitely not what our Nation stands for.

I understand Democrats and Republicans have different priorities when it comes to the Federal budget. I get that, but when one person wants to slash Social Security for American retirees, to cut Medicare for senior citizens, to gut health benefits for low-income families, to drive up the cost of paying for college, and to gut programs that help families in crisis and low-income children, all in the name of making life even easier for giant corporations and billionaires—well, I think it is clear that his priorities do not include the safety and security of millions of Americans. That is a priority that should be at the top of all of our

lists in the Senate, Republican and Democratic.

I will stand with the Americans whom Congressman MULVANEY will cast aside as Budget Director, and I will vote no on his nomination.

MICK MULVANEY wants to slash benefits under Medicare, Medicaid, Social Security, and countless other programs. These are just numbers to him, but behind those numbers are real people. Real lives are at risk with every decision he will make as the Budget Director. So what I want to do is take the time I have remaining and share the stories of just a few of the people who would be affected.

Lea from Plymouth wrote to me, worried that Congressman MULVANEY would cut Social Security for her and for others in Massachusetts. Lea had an interesting suggestion. Here is what she wrote:

I have just sent off an email message to Representative Mulvaney regarding his spearheading of the cutting of Social Security benefits.

I challenged him and many of his colleagues to do this: Live on an income like mine—of $1,219.80—for one month.

Having received my first increase of $2.50 in several years, it was offset by a Medicare cost increase of $11.50. Do the math.

I hope you and the other Democratic members of both houses fight like hell to raise our benefits.

We are definitely in for a bumpy ride for the next 4 years. As the saying goes . . . ''it ain't going to be pretty!''

Thank you for listening.

Thank you, Lea. Thank you for writing.

I also heard from Janneke from Williamstown, who is worried about several nominees working to cut Social Security. Here is what Janneke had to say:

It is terrifying to consider either of these nominees, Price or Mulvaney, being confirmed for the position to which they have been nominated. They will work to undo, not to strengthen, social security. This is a profoundly disturbing possibility.

I urge you to do everything you can to oppose their confirmation!

Thank you, Janneke. I will. I will keep fighting for your hard-earned benefits.

Janet from Florence also reached out to me. She shared the inspiring stories of her and her husband, and then she told me how worried she is that cuts to Social Security and Medicare could be coming under Congressman MULVANEY's watch. Here is what she wrote:

I am 60 years old and have always been employed—in higher education jobs where I worked hard and long for modest wages, frequently the case in women-dominated professions.

My husband is a childcare worker who works with infants and toddlers. The work we do is meaningful and makes a societal contribution.

At 60 and 64, we have always lived like graduate students. We shop at the Goodwill, cook from scratch, bring our lunch, and drive old cars—and bike and walk. We will each be working until age 70, or longer, if our health permits. This is fine. We are fortunate to live as we do. But with market-based retirement funds and with family members needing our support, we need Social Security, which is NOT BROKEN, to remain, and be strengthened. And we need access to health care, for ourselves, children, and grandchildren.

This is a plea from the fading middle class to oppose the Price and Mulvaney nominations. We—and people far less fortunate than we are—need your stout support.

Thank you, Janet. Thank you and your husband for all you do for your community. I promise I will do my best to protect your benefits.

I have received hundreds of these types of letters—letters from constituents who are scared that cuts to Medicaid and Medicare could endanger their basic ability to survive, letters from constituents who have seen how important these services are to thousands across the State and millions across the country, constituents who aren't sure where to turn and whom to blame. They just know they cannot afford to lose these benefits, like a woman from Somerville, who wrote to me about the work she does as an intensive care coordinator. Here is what she had to say:

I am an Intensive Care Coordinator through Riverside Community Care, a statewide human service agency that delivers crucial mental health services to at-risk youth. In my program, the Guidance Center Community Service Agency, we specifically provide Child Behavioral Health Initiatives (CBHI) services to youth in Cambridge, Somerville, Medford, Malden, Waltham, Woburn, Wilmington, and other northern towns.

I am extremely nervous that the new presidential administration will attack Medicaid and put our programs in jeopardy.

If you're not familiar with the CBHI wraparound model, I can briefly explain why these services are so important. One: we serve youth in poverty. Two: our services are community based, so we go to the homes of the families we're serving, so they don't need to rely on transportation. Three: we are a form of outpatient care that prevents youth who are suicidal/homicidal from needing hospitalization. Or, if they are hospitalized, helping the family develop a plan for when they're discharged. Four: Although the child with mental health diagnosis is our identified client, the services benefit the whole family. We understand that taking care of children with special needs is taxing, so we identify resources and services for parents as well. Five: we work with state departments like Department of Children and Families, Department of Health, and Department of Developmental Disabilities. Six: our model works. I myself rarely close a case without having had at least one goal (identified by the family) met and there are growing statistics about the benefit of having us in place.

I hope you can bring this argument where it needs to go to ensure that we have a future here in Massachusetts.

I want to say on this one: Thank you. Thank you for writing, and thank you for the work you do.

I am doing my best to bring this story. This is a story everybody in the Senate should listen to. It is a story about how we reach out to those who most need us and provide the kind of care they need.

Thank you. Thank you for your work, and thank you for writing.

I also received a letter from an occupational therapist from Massachusetts. She told me all about the important work she has been doing and how Medicaid has been crucial to that work. Here is what she had to say:

As a constituent and occupational therapy practitioner, I am writing to you to express my concerns about a major restructuring of the Medicaid program.

Medicaid is an essential safety net program for the most vulnerable in our society. In 2015, 39% of children received health insurance either through the Childrens Health Insurance Program or through Medicaid. More than 60 percent of nursing home residents are supported primarily through Medicaid. Additionally, Medicaid provides health care services and long-term services and supports to more than 10 million people living with disabilities, and 1 in 5 Medicaid recipients receive behavioral health services.

Restructuring of the Medicaid program through per capita caps or block granting and significant cuts to the Medicaid program would jeopardize the long-term health and independence of current Medicaid beneficiaries. Thus I urge extreme care and caution when considering a major restructuring of the program or other significant changes, waiver of mandatory services, or dramatic cuts.

Thank you for all the work you do, and thank you for writing and making this important point about who uses Medicaid and how critical it is to the basic support services that we provide.

Another constituent wrote to me about the amazing work that she does in the Boston area for those with severe mental illness and how Medicaid and Medicare help these people. Here is what she had to say:

I work with people with severe Mental Illness in the greater Boston area. A majority of my patients receive their therapy and medication through Medicaid and Medicare. Even the thought of losing coverage heightens their anxiety. If coverage is reduced or co-pays raised, they stand to lose not only therapy and group interventions but also the medication which is essential to avoiding higher levels of care. Given the high rate of co-occurring physical and mental health issues, the general health of my patients will be severely compromised with any reduction in access to care.

Nearly 1 out of 3 people covered by Medicaid expansion live with a mental health or substance use condition and people with marketplace insurance plans have fair and equal mental health coverage. With this coverage, people have access to mental health services that support recovery.

As a constituent, I would like you to keep in mind that Medicaid or insurance marketplace plans are helping all of those who struggle with mental illness who, with accessible supports, can lead healthier lives.

Again, thank you for the work you do, and thank you for writing. It is a powerfully important point.

Congressman MULVANEY wants to slash these programs. That is why I will be voting against his nomination.

I also received more personal stories from people like Michael from Acton, who told me about his son. Here is what he wrote:

My particular concern is the attack on the ACA and Medicaid and Medicare.

My biggest worry is my 27 year old son, Adam, who was born with microcephaly. He

is a very loving person with a great smile, but functions roughly at the level of a 12 month old. He currently lives in a group residence and goes to a day habilitation program during the week. Both of these programs are funded in part by Medicaid. If Medicaid funds are cut, I worry that the day-hab program will not be able to continue or, at the least, will operate at a much reduced level. This would seriously degrade the quality of Adam's life. I worry what will happen at his already understaffed residence.

As it is, the staff at Adam's residence and day-habilitation programs are paid very little wages to do very tough jobs. Because of this, there is already a constant problem of finding enough people to staff these. . . . jobs if they are paid less or have to do even more work because of lower staffing levels[.]

The prospect of what is coming scares me. What will my son's life be like?

Thank you for writing, Michael. I appreciate it. I will be out there fighting for Adam. I hope we can get a lot of people in the Senate to do that as well. Thank you.

We also heard from Daniel Mumbauer, who is president of the High Point Treatment Center in Massachusetts. Daniel has experienced firsthand how Medicaid funds can change the lives of thousands of people in Massachusetts alone. This is what Daniel wrote:

On behalf of High Point Treatment Center, I am writing to urge and request your support in protecting the Affordable Care Act and preserving Medicaid expansion in the 115th Congress.

High Point served over 30,000 individuals last year. We provide substance use disorder and mental health services to adolescents and adults.

Recent health insurance data show that Americans with mental health and substance use disorders are the single largest beneficiaries of the Affordable Care Act's Medicaid expansion. Nearly one in three who receives health insurance coverage through Medicaid expansion either has a mental illness, a substance abuse disorder, or both. By repealing the Medicaid expansion, this population of vulnerable Americans would be left without access to lifesaving treatment, driving up costs in emergency department visits and hospital stays.

I am also writing to urge your support for the protection of the Medicaid program from proposals to restructure Medicaid as a block grant or capped program. These proposals would reduce federal investment in Medicaid and leave millions of Americans without access to needed mental health and addictions treatment in our communities. Please work with your colleagues to protect our nation's most vulnerable patient population and preserve their access to treatment.

Thank you, Daniel. Thank you very much for writing, and thank you for the work you do.

Congressman MULVANEY wants to eviscerate health programs that would help Michael's son and the thousands who are treated at the High Point Treatment Center. That is exactly the opposite of what we should be doing.

I have also heard from many constituents worried about losing their Social Security benefits under the new administration, like Kensington from Hatfield, who is terrified that his mother, who depends on Social Security, will lose her benefits. Here is what he wrote:

Last night scared me for the first time. My mother is 69 and depends on Social Security for her income and has severe COPD and relies on medicare and medicaid for prescriptions and medical supplies to help her breath[e]. She was crying and is afraid of losing everything and that she will die. I know it's extreme thinking, but without her medicine and income it is unfortunately the truth. I didn't know what to say to comfort her and that scared me! What can I say to ease her mind and let her know that she will be OK. Will she be OK?

Thank you, Kensington, for your note. Your mother is right to be worried, and that is why I am fighting this nomination.

I have so many more stories—many, many stories—that I could read, but I am running out of time here.

I want to say that MICK MULVANEY is dangerous to the American people, and he is dangerous to the Federal Government. He will slash programs right and left without worrying about the living, breathing people whom he is hurting in the process. That is why I will be voting against his nomination as Director of the Office of Management and Budget and why I urge my colleagues to do the same.

Let's make sure that MICK MULVANEY never ends up as the head of the Office of Management and Budget, never is in a position to put together a budget to cut Medicare and cut Medicaid. Let's make sure that we keep our government, our Medicare, our Medicaid, and our Affordable Care Act working for the American people. That is what I will keep fighting for.

Mr. President, I yield.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Missouri.

Mr. BLUNT. Mr. President, every day we continue to set new records for how long it takes for the new President to get his Cabinet in power—in office—and the responsibility to carry out the things that the President said that he wanted to do when he was elected.

In the great history of confirming people, from the Garfield administration in the 1880s until Franklin Roosevelt in 1932, the entire Cabinet in that whole period of time was confirmed on the first day. Now we are in the longest period in the history of the country since George Washington was President to try to get a Cabinet in place, not to mention all of the other jobs that go along with confirming the Cabinet. It is a good thing and no wonder that a few years ago the Senate looked at the numbers of people we had taken responsibility to confirm and said: Now, which of those do we really have to confirm and which of those would we only confirm if someone in the Senate believes we have to have a hearing on that level of person and that agency at that time?

We tried to streamline a process that we all know needs to be streamlined, but with only a couple of exceptions, every nominee so far has been the most dangerous nominee of all time for whatever job it is. There must be fill-in-the-blank speeches back there somewhere that go from one to the next: This would be the worst person who could ever possibly hold this job.

In the case of Congressman MULVANEY, it appears to be because he wants to try to do things that allow our entitlement programs to survive; he wants to do things that allow the deficit at some point to be eliminated. And no matter what point that is, that point would be too early for some of our friends on the other side.

Interestingly, as we talk about the Affordable Care Act, which has turned out to be very unaffordable for almost any family on the individual market and many families who had insurance that worked for them before—the Affordable Care Act cut Medicare in the plan by $500 billion over 10 years. We hear speaker after speaker on the other side say: We would never do anything to cut Medicare. I argued vigorously against those cuts when they occurred.

As we move forward, I think we ought to be very thoughtful that we restore the cuts in areas where clearly it is not working the way people thought the Affordable Care Act would work. The person in charge of the numbers, the person in charge of the balance sheet, the person who calculates the costs should be someone with the capacity to do that. The President has decided, and the Senate, when finally allowed to vote, will determine that person is Mr. MULVANEY.

NOMINATION OF SCOTT PRUITT

Mr. President, the other thing we hope to do this week is to get to the EPA Administrator. I have a hard time imagining that anybody had more future damage lined up for the economy than the past Administrator of the EPA. Rules like the clean power rule—all these rules almost always have a good name. Clean power, who wouldn't be for that? I am certainly for clean power, but the clean power rule, in virtually every State in the country, would have increased utility rates from the middle of the State of Pennsylvania to the western edge of at least Wyoming, if not beyond that.

Fifty percent of the power produced by coal-powered utility plants, most of which are cleaner than any utility plants that use coal have ever been or are anywhere in the world today, many of which are almost new, many of which aren't paid for—and, of course, who pays for that utility plant, whether you use it or not? It is the family who pays the utility bill. There is no mythical somebody else who will pay this bill. So if you shut down a plant sooner than you should, somebody has to pay for that.

You could write those same rules if your goal were to eliminate coal. That is a different debate. It is a debate we could have at another time. If your goal were to eliminate coal, you could write those same rules. If the rule simply said: When the utility plants you are using right now, which meet all the current standards, which are, in many cases, the cleanest coal-fired plants

that have ever been built or are being used anywhere in the world today—when that plant is paid for, here is what you have to do next. Then, when you get your utility bill, you are not paying for the plant you are not using and also paying for the plant you are using. This would be as if there were a new standard—this is the EPA view of this—on automobile mileage, and that standard came out and said: Here is what automobiles have to look like, in terms of standards, on miles per gallon, and, by the way, you have to have that car or that truck right now. If you have a truck or car that you are already driving that doesn't meet that standard, you can't drive it any longer. Of course, you still have to pay for it, but you can't drive it any longer. We have been doing mileage standards in this country that have made a significant difference for a long time, but we have never said: You have to stop driving the car you are driving, and you have to buy a new car. And, of course, you have to pay for the car you are driving or the bank is unlikely to give you the loan for a new car. But that is what the EPA said in the clean power rule.

There is a commonsense way to do things, and the next nominee we will be dealing with, Attorney General Pruitt, is a commonsense guy. He has had great responsibility as attorney general, but he has been willing to challenge these rules that didn't make sense.

On the clean power rule, by the way, Missouri is the fourth biggest user of coal-produced energy. Projections were that the average Missouri utility bill under that rule, if it had been allowed to go into effect—still in the courts because the courts say that EPA really doesn't have the authority to do that; at least the lower courts have all said that. If that had been allowed to go into effect, the average Missouri utility bill would have doubled in 10 or 12 years. It is not hard for a family to figure out. Get your utility bill out, look at it, multiply it by two, and see what happens to the things you were doing before you had to pay, in effect, a second utility bill.

It is time that these agencies had some common sense, whether they are agencies that are being evaluated by the Office of Management and Budget or agencies that are being tasked by the Congress and the President to do certain things. It is time they thought about families. It is time they thought about jobs.

If the economy of the country is better next year, the country will be stronger 25 years from now. I think we spend a lot of time thinking about what America should look like 25 years from now instead of what we can do so that families have better jobs next month and next year. It is time we got some common sense into trying to reach the goals we want to reach, rather than coming up with goals and then reaching them in a way that clearly will not work.

The waters of the United States—that is not a bad title. Water is important. Waters of the United States is important. The EPA talked about the waters of the United States and decided to take a definition that the Federal Government has used for well over 150 years. By the way, the EPA was given control of navigable waters in the Clean Water Act and decided that navigable waters aren't just what for 150 years the Federal Government said they were—from 1846 until just a couple of years ago, more than 150 years—which was something you could move a product on, which meant interstate commerce, which meant the Constitution gave that responsibility to the Federal government, but they said: That is actually any water that could run into any water that eventually could run into navigable waters. That is what the Clean Water Act said when it said the EPA could regulate navigable waters.

This is a Farm Bureau map that has been available for a long time but that the EPA never did challenge during this debate. Only the red part of our State would be covered by the EPA for anything involving water—things like a building permit or things like whether you can mow the right of way on the highway or things like whether farmers could use fertilizer in their field, even if it were 100 miles away from any navigable water. All of those things under the rule could have been under the authority of the EPA. Let me mention again, only the part of the map that is red would have been covered by the EPA, the part is that 99.7 percent of the map.

We have a lot of caves in our State and a few sinkholes. I think those white dots, the three-tenths of one percent, are some combination of caves and sinkholes where the water appears to run right back into the middle of the earth, instead of into any water. What a ridiculous rule. It is the kind of rule that the Office of Management and Budget should challenge whenever they are asked to look at the cost-benefit analysis. It is the kind of rule that a reasonable Administrator at the EPA would never let be issued. In fact, I would say it is the kind of rule that this Congress eventually, hopefully, will take this responsibility back and say: We have to vote on these rules. We have to take responsibility for things that cost families their extra income and cost people their jobs.

As we get along with the business of confirming MICK MULVANEY to the Office of Management and Budget—and then after that and before we leave this week—Attorney General Scott Pruitt to be the Administrator of the EPA, hopefully both of them will use common sense as their guideline. Both of them will look at, What does this really mean to hard-working families? What does this mean to struggling families? What does this mean to single-mom families? What does this mean to young families who are trying to figure out how they can save for the future of their kids' college or even summer camp? A lot of things go away if you double the utility bill. A lot of things go away if it takes a year to get a building permit. A lot of things go away if we don't have common sense in our government.

I think this nominee, MICK MULVANEY, and the next nominee, Scott Pruitt, both bring that common sense to the jobs they have been asked to do and have agreed to do, if confirmed by the Senate.

I see my friend from Massachusetts is here.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank my friend from Missouri, and the Senate, for giving me this opportunity to speak. I rise to speak in opposition to the nomination of Representative MICK MULVANEY to be Director of the Office of Management and Budget.

Congressman MULVANEY represents the latest of President Trump's broken promises to the American people. In this case, it is President Trump's campaign promise to protect Social Security, and Congressman MULVANEY is the man who will lead the charge. The Office of Management and Budget, OMB, as it is called, is like that group of scientists in the movie ''Apollo 13'' who have to figure out how to bring the spacecraft home with only a few items found in a couple of boxes. In the movie, they describe it as fitting a square peg in a round hole. In government, we call it the Federal budget.

The crucial role of OMB and the development of the Federal budget means that the Director often has the final word on the priorities of our Federal agencies. The Director must be someone who will approach the enormity of the Federal Government in a thoughtful and deliberative manner. They must be able to consider how the budget will impact the everyday lives of all Americans. Representative MULVANEY's support for reckless, across-the-board cuts demonstrates that he is not up to this challenge.

Donald Trump campaigned on the promise that he would make no cuts to the Social Security safety net. That means no cuts to Social Security, Medicare, and Medicaid. Congressman MULVANEY's nomination shows that, despite what candidate Trump may have said, President Trump intends to do just the opposite. This is not what millions of people voted for. MICK MULVANEY's nomination has Americans across the country fearful for their futures, and they have every right to be scared.

Congressman MULVANEY represents an immediate threat to Social Security. He represents a threat to the 1.2 million seniors in Massachusetts who currently rely on Social Security. He represents a threat to the millions more who expect the program to be

there when they retire in coming years.

MICK MULVANEY has attempted to declare Social Security unconstitutional and has referred to the program as a Ponzi scheme. Well, Social Security is not a Ponzi scheme. Social Security is not a handout. Social Security is a promise we make to America's seniors after decades of hard work. It is the commitment we made to those who built this Nation, fought in wars, and provided for their families. Seniors pay into the system throughout their working lives, and they expect it to be there for them when they retire. We need to keep that promise.

Social Security is not just a line in the budget. It is a lifeline for millions of Americans.

In Massachusetts, the program keeps 295,000 people above the poverty line. Across the country, more than 15 million elderly Americans are able to live out their lives and not be driven into poverty because they have a Social Security check. That is what it does for 15 million Americans. Seniors will have nowhere to turn if President Trump and Representative MULVANEY have their way and Social Security ceases to exist. Congressman MULVANEY has repeatedly suggested raising the Social Security retirement age to 70 years old. Let me repeat that. MICK MULVANEY wants grandma and grandpa to wait until they are 70 years old—that is 4 years older than the current retirement age—before they can call upon the benefits they deserve.

Not only does MICK MULVANEY want to make it so Americans have to work longer, he wants them to receive less when they finally do retire. At his Budget Committee hearing, MICK MULVANEY said that he himself was willing to be subject to these new rules, since they might require him to work a couple of extra months before retirement and require his children to work until they are 70.

Nothing could be more out of touch with working-class, blue-collar workers across our country. I have no doubt that MICK MULVANEY would be able to work a few extra years in his current role as a Congressman or Director of OMB or a great job that he would get after those responsibilities, but what about millions of construction workers, carpenters, waitresses, gardeners, busdrivers, and others with physically demanding jobs? My father, a milkman—how many years can you work being a milkman? You have to go until you are 70 to receive a Social Security benefit in this country in the future? That is the challenge we have. We ask milkmen, we ask 69-year-old construction workers to lay cement in blistering summer heat because Social Security is no longer there when it is promised. Do we expect a 68-year-old window washer to climb the scaffolding every day when they cannot afford to retire without their Social Security benefits? We should not balance the budget on their backs. That is just plain wrong.

Raising the Social Security retirement age is just one of many of President Trump's broken promises. He also wants to cut Medicare and the health care of millions of Americans. Congressman MULVANEY looks ready to do the President's bidding as well.

Congressman MULVANEY has said we need to end Medicare as we know it and supported House Speaker PAUL RYAN's destructive ideas to turn Medicare into a voucher program. Congressman MULVANEY went even further saying that those efforts did not go far enough. Those kinds of cuts to Medicare would be nothing short of a disaster for the 55 million Americans enrolled in the program, including the more than 1 million individuals in Massachusetts who rely on Medicare for their health care needs.

Seniors deserve an OMB Director who will protect their health care, not put it on the chopping block. We know Congressman MULVANEY is deeply committed to these misguided ideas because we have seen how far he is willing to go to support them. He was one of the few key cheerleaders of the Republican government shutdown in 2013. He was willing to put millions of American families, businesses, and services at risk in order to defund the Affordable Care Act.

That shutdown cost the United States more than $24 billion. At that time, Congressman MULVANEY said it was good policy. He said it was all worth it in order to prove a point. That simply is irresponsible. That kind of recklessness has no place in the Office of Management and Budget. Congressman MULVANEY also does not believe in raising the debt limit.

Back in 2011, he put the economy at risk when Republicans held our debt limit hostage. He put the full faith and credit of the United States in danger by his willingness to allow the Treasury to default. That would have wreaked havoc on the financial markets and could have destabilized our entire economy, but Congressman MULVANEY dismissed these concerns and called the potential breach of the debt limit a fabricated crisis. Nothing could be more fiscally irresponsible and further from the truth.

Congressman MULVANEY is not the type of leadership Americans expect in their government, and he is not the type of leadership needed to direct the Office of Management and Budget. Strong leadership is especially crucial at the Office of Management and Budget, where responsible oversight of the regulatory process is a requirement of the Director's job. The individual in charge must be willing to make fair determinations based on facts and evidence.

Congressman MULVANEY's record gives me no confidence that he will meet this standard. Congressman MULVANEY also dismisses accepted science and rejects established facts. He has stated global warming is based on questionable science and has outright dismissed the threat that climate change imposes on the planet. OMB oversees agencies' use of the social cost of carbon, the Federal metric that assigns a dollar value for future damages to each ton of carbon dioxide emitted into the atmosphere. We need an OMB Director who accepts the consequences of climate change because it will be the most vulnerable in our society who will pay the highest price if we ignore climate science and the danger it poses, not only to our own country but to the rest of the planet.

Our country faces serious challenges that require the careful and nonpartisan allocation of resources. We need a Director of the Office of Management and Budget who will hear the concerns of all Americans, not promote dangerous fiscal ideologies. Congressman MULVANEY has indicated that he will approach our budget with an ax, and it will be our seniors who will be first on the chopping block. I do not believe he is qualified to lead the Office of Management and Budget.

I do so remembering 1981 and 1982. Ronald Reagan arrived, and Ronald Reagan had a very simple plan for America. He was going to do three things fundamentally; No. 1, massive tax cuts for the wealthiest and biggest corporations in America; No. 2, simultaneously increasing defense spending massively; No. 3, to simultaneously pledge that he was going to balance the budget while unleashing massive economic growth in our country.

What he did then was to put together a team that had a remarkable ability to harness voluminous amounts of information to defend that knowingly erroneous premise. You cannot say you are heading toward balancing the budget if you are simultaneously saying: I am going to give massive tax breaks to those who need them the least and massive defense increases, which are going to further lead to Federal expenditures, because then you have to turn and you have to cut programs. You have to cut Medicare. You have to cut Social Security. You have to cut the EPA. You have to cut Head Start. You have to cut food stamps. You have to cut programs for the poorest. You have to cut all of those investments in science in the future. You have to cut and cut and cut.

That really was not the goal because ultimately Ronald Reagan just retreated from the cuts because the pressure came from across America, but he had accomplished his principal goal, which was the massive defense increases and the tax cuts for the wealthy because that was the real agenda all along.

So there is a great book, ''The Triumph of Politics: Why the Reagan Revolution Failed,'' by David Stockman. He was the head of OMB for Ronald Reagan back in the early 1980s. He wrote a book in 1986 about his experiences with this failed economic philosophy. It is a blistering, scalding indictment of what they tried to do in 1981

and 1982. He wrote this as a warning to the future, about why we should not try to repeat what Reagan tried to do in 1981 and 1982.

What he talks about in the book is this. The same kind of made-up numbers to put a Panglossian—rose-colored glasses—the most optimistic projection on what would happen to our economy if we had these massive tax cuts and increases in defense spending, while pretending that we were going to do all of these other things, which actually never did occur.

So he said, because the numbers did not add up, they had to engage in a lot of fiscal chicanery. What he did was he constructed two little separate categories. No. 1, he called it the magic asterisk. The magic asterisk was this attempt to avoid ever specifically having to itemize all of the budget cuts that would cause a revolution in America because they knew they could not put that list out.

So they called it a magic asterisk—cuts to be named later, programs to be cut later. We all know the names of those programs—Medicare, Medicaid, education, Environmental Protection Agency, Head Start, all the way down the line—but we will just hide the ball on that.

Secondly, he constructed another idea, he said, which was also fraudulent, which was called ''rosy scenario.'' What they would do is, they would put together a group of economists who would then, using completely bogus projections for the future, project massive economic growth. That is what Donald Trump talks about now: Oh, we will see growth that you have never seen before in the history of mankind—rosy scenario.

There is no economic data to back it up, but that is just how much Trump is trying to model himself after this attempt in 1981 and 1982 to sell the exact same bill of goods, which collapsed, by the way. They collapsed like a house of cards economically because it did not add up. You cannot have a magic asterisk for all of these cuts that are never going to happen because ultimately the Democrats are going to back down the Republicans.

We are going to back them down on cutting Medicare. We are going to back them down on cutting education. We are going to back them down on cutting the budget for all of these great programs. We are going to have this battle. They already know it, but it is not going to stop them in terms of the first two programs, the tax cuts and the defense increases. They are going to still try to ram them through. That just creates bigger and bigger and bigger deficits.

The only way they can get away with it is if they can project massive economic growth in our country, which is the ''rosy scenario.'' Then you have a bunch of economists who are kind of supply-siders who kind of look back at the 1980s and ask: Can't we go back to the Reagan era again and repeat that?

You don't want to repeat it. The guy who put the program together said: Please don't do that again. Please don't do that again. He said here: Ronald Reagan chose not to be a leader but a politician, and in doing so, showed why passion and imperfection, not reason and doctrine, rule the world. ''His obstinacy,'' said David Stockman, ''was destined to keep America's economy hostage to the errors of his advisers for a long, long time.''

Mark Twain used to say that ''history doesn't repeat itself, but it does tend to rhyme.'' So, yes, this isn't exactly like Ronald Reagan in 1981 and 1982, but it rhymes with 1981 and 1982. It rhymes with it. They are trying to argue economics like lawyers, right? Politicians, PR people. Sell the bill of goods. Donald Trump calls it ''truthful hyperbole,'' like when he is selling a piece of property. Well, the United States is not a piece of property. The American economy is not a piece of property. It is the central organizing principle for all of the hopes and all of the dreams of every person who lives in our country.

You cannot allow for knowingly false premises to be advanced, and that is what Congressman MULVANEY will represent in this entire process if he is confirmed as the new head of the Office of Management and Budget. He represents someone who is going to reach back into time to this era which has already been shown to have completely failed and repeat the exact same experiment again. The American people just can't run the risk because ultimately the economic catastrophe—the impact on ordinary families—would be so great that ultimately we would look back and say that this Senate failed, that we did not discharge our responsibilities to those families.

So from my perspective, I stand out here knowing that once again we are faced with this prospect of repeating David Stockman's book ''The Triumph of Politics: Why the Reagan Revolution Failed'' and knowing that when Donald Trump said: Oh, don't worry, I am going to take care of you, ordinary Americans; you are going to get the biggest tax breaks—they are not. That is not his plan.

Oh, don't worry. I am going to give you better healthcare. I am going to give you more coverage for your families.

That is not going to happen. That is not his plan.

I am going to give you cleaner air and cleaner water. It is going to be the best. It is going to be the greatest.

That is not going to happen.

It is the triumph of politics. It is the triumph of the special interests, of the oil and gas industry, of the defense establishment that wants bigger and more contracts, of the wealthiest who want big tax breaks. It is the triumph of politics—the politics of the most powerful, of the wealthiest, of the most entrenched. That is what this Trump administration is already about, and they are going to continue to say: Don't worry. Your healthcare will be better. Your air will be cleaner. Your children will be safer. Social Security will be protected.

But then who gets named to run the Office of Management and Budget? Somebody who wants to raise the retirement age to 70; someone who wants to fundamentally change Medicare as we know it; somebody who has an agenda that looks a lot like 1981 and 1982 in the Reagan years, very much like it.

So is there anything new here? No. Is this just a sales job, a con job? Yes. Because when you pull back the covers and you look at what is about to unfold, it is something that is going to be very destructive of our economy. It is going to further income inequality across our country. It is going to reduce opportunity for every child in our country. Rather than democratizing access to opportunity through healthcare and education, they are going to work systematically to undermine those opportunities, to reduce the chances that they can maximize their God-given abilities.

That is why this nomination is so important, because the OMB controls the Federal budget. That is all the hopes and all the dreams. That is where the money goes. Who gets it? What are the incentives?

Right now, once again, Donald Trump is embracing Ronald Reagan's trickle-down economics: the more money you give to the people who are already rich, the more it will trickle down to ordinary folks.

We don't hear him saying: Oh, don't worry, the overwhelming majority of these tax breaks are going to go to the blue-collar people in our country. You are not going to hear him say that. And when you look at all the proposals they have made, it always goes to the corporations, it always goes to the upper 1 or 2 percentile.

Those promises he made are just the same as David Stockman's and Ronald Reagan's back in 1981 and 1982—identical almost down to the final detail—and are just as guaranteed to fail.

We have Congressman MULVANEY who has been nominated. And give him credit—he is actually honest about what he believes. He is actually very clear in his explanation of what the goals are going to be for our country if he is confirmed and can partner with Donald Trump to implement this agenda. We give him credit for his honesty, but it is only honesty in saying that he is going to defend a set of economic assumptions that are completely and totally fallacious and have already been disproved in the marketplace—the political marketplace.

So all I can say here is that it would be reckless of the Senate to deliver over to the American people once again someone whose intent is to try to take this formula which gathers voluminous amounts of information to defend knowingly erroneous premises.

You cannot have massive tax cuts and massive increases in defense spending and balance the budget without killing all of these programs that almost every American family relies on, beginning with Social Security and Medicare and Medicaid, education programs, all the way down. We can't do it.

So that is why we are fighting out here. We are fighting to make sure we don't repeat the same history we have already lived through.

By the time Reagan reached near the end of his career, guess what he did. He changed and began to acclimate himself to reality. He began to accept, through a group of new advisers, the actual impact his initial policies were having. And that is all we are trying to do right now. We are trying to start out where we are going to be forced to wind up anyway. Why not do that since we have already learned the lesson? Why not have those lessons of the past be implemented? But no. They are committed to a repetition syndrome, a reenactment of what has already occurred, rather than a reconciliation with history, learning from it and then trying to move forward in a way which is wise, protective of every American.

I stand here to oppose Congressman MULVANEY's nomination for the Office of Management and Budget. I do not believe it would be a good thing for our country, for our economy. This is just too dangerous a roll of the dice with our entire Nation. So I say to the Senate, please vote to reject this nomination, and ask the President to nominate someone who does reflect the best economic values that our country has.

With that, I yield to the Senator from Washington State, Mrs. MURRAY.

The PRESIDING OFFICER. The Senator from Washington.

ANDREW PUZDER

Mrs. MURRAY. Mr. President, before I begin to speak about the nomination before us right now, I did want to comment on the breaking news regarding the nomination of Andrew Puzder.

There is some good news today for workers and women and families in America. Back on the campaign trail, President Trump promised to put workers first, but from the start, it has been pretty clear that his nominee for Secretary of Labor, who has now withdrawn, was a clear signal that President Trump had no intention of keeping that promise, and instead he planned to rig his Cabinet with the staunchest allies for Wall Street—big corporations and special interests—that he could find.

So I am not surprised that when workers and families heard about the pride Mr. Puzder takes in objectifying women, that he called his own workers ''the best of the worst,'' and that his vision for our economy is one in which workers are squeezed so those at the top can boost their profits higher and higher, they said no. They spoke up loud and clear that they want a true champion for all workers in the Labor Department.

I just want to thank all the workers who bravely shared their stories in the last few months. It is clear today that your words are powerful, and I am going to keep bringing your voices here to the Senate, and we will keep fighting.

With that, Mr. President, I wanted to be here today to speak about OMB Director Nominee MULVANEY. I submitted comments on this nomination in the Budget Committee, and I want to bring them to the full Senate today.

I am here today to urge my colleagues to oppose Congressman MULVANEY. Mr. President, we all know that a budget is more than just numbers on a page; a budget represents our values and our priorities, the kind of Nation we are now and the kind of Nation we want to be.

Congressman MULVANEY is not shy about where he stands on this. When I sat down with him a couple of weeks ago, he made it very clear that he would use our budget to radically reshape our country in a way that I believe would be devastating to families, to seniors, to veterans, to the middle class, and to many others.

Congressman MULVANEY has said he wants to make drastic, radical cuts to Federal investments, trillions of dollars across the board. His budget proposals would slash Federal funding for education, leaving students across the country with fewer opportunities to learn and to succeed. They would cut investments in jobs and training, leaving our workers scrambling to keep up with the changing economy. They would eliminate support for children and families who need a hand up to get back on their feet. They would eliminate basic medical research that creates jobs and leads to lifesaving cures. They would continue the work President Trump has done to destroy healthcare in America and create even more chaos and confusion. They would lead to dramatic cuts to Medicare and Medicaid, betraying the commitments we have made to our seniors and so much more. He wants to do that while giving away even more tax cuts to the wealthiest Americans and biggest corporations and has proposed raising the Social Security retirement age to 70, causing millions of Americans to drop under the poverty line. In other words, Congressman MULVANEY's nomination is another perfect example of how President Trump is breaking the promises he made on the campaign trail to stand with workers and seniors and the middle class.

Just a few years ago, Congressman MULVANEY was at the fringes of the Republican Party. He is one of the most extreme members of the tea party wing of the party who supported the government shutdown when others were working to end it; who failed to show the proper concern about a potentially catastrophic breach of the debt limit and remains cavalier even now, telling me he would advise the President against accepting a clean debt limit; who, by the way, isn't even willing to support the budget deal I reached with Speaker RYAN. He is someone whom responsible members of his own Republican Party scorned just a few years ago and whose budget ideas they rejected as damaging, unworkable, and political suicide. But now he is the person whom Republicans are holding up as a budget leader.

As we see this nomination, as we see Republicans use the budget process to slam through a partisan plan to destroy our healthcare system, it is clearer than ever how far the Republican Party has moved, even from the days of our bipartisan budget deal.

Finally, I am extremely troubled by Congressman MULVANEY's failure to pay taxes and comply with the law. I know I am not the only one who has been here long enough to see Cabinet nominees withdraw over less egregious breaches than this. Congressman MULVANEY's motivations, explanations, and defenses have not been credible. It is hard to believe that every single one of my Republican colleagues feels comfortable with someone with such a serious lapse of judgment in charge of the budget of this administration.

I voted against Congressman MULVANEY in the Budget Committee for those reasons and more, and I am here today to oppose his nomination, and I urge my colleagues to do the same. Certainly, we can do better than this.

Thank you, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I think Senator MURRAY has said it very well, and I want to pick up on what I think is really at stake with this nomination. In effect, if confirmed, Congressman MULVANEY would be the numbers guy for the Trump team, the architect for the President's fiscal plan for the Nation's future.

I want to start by way of saying that, when you look at the President's promises that he made on the campaign trail to protect Medicare and Social Security from draconian cuts, Congressman MULVANEY's nomination and his record would be one of the biggest bait-and-switch schemes inflicted on America's seniors that I can imagine.

I am going to start by taking a minute to read some of what the President said on the campaign trail. He said:

> Every Republican wants to do a big number on Social Security. They want to do it on Medicare . . . and we can't do that. It's not fair to the people.

The President said: ''It's my absolute intention to leave Social Security the way it is, not increase the age, but to leave it as-is.''

The President said:

> You can't get rid of Medicare. Medicare's a program that works . . . people love Medicare and it's unfair to them. I'm going to fix it and make it better, but I'm not going to cut it.

So those are just some of the promises that President Trump made with respect to Social Security and Medicare. There are quotes like that from rallies and campaign events and debates over a period of some months. I think it would be fair to say that, for a lot of seniors, when they heard that—when they heard these promises that these vital programs would be protected—that was a political litmus test for many American older people. So I describe this contrast between the promises of President Trump and Candidate Trump and Congressman MULVANEY as a bait and switch, but I think the Senate needs to know a little bit more detail with respect to specifics.

In 2011 Congressman MULVANEY said: ''We have to end Medicare as we know it.'' He added in another interview: ''Medicare as it exists today is finished.'' He proposed raising the Social Security age to 70. He called the program a Ponzi scheme. While he was a State lawmaker, he even voted to declare Social Security unconstitutional.

My sense is it will be a while before seniors get over the whiplash from the 180-degree turn the administration has pulled on Medicare and Social Security cuts.

Now, with respect to the days ahead, for me, a lot of this debate starts in my days when I was codirector of the Oregon Gray Panthers. The seniors that I worked with knew what those programs meant. It was their grandparents who faced old age without Social Security. Those seniors with whom I worked during those Gray Panther days remember what happened before we had the safety net. Before there was Social Security and Medicare, you would have needy older people shunted off to poor farms and almshouses. Even if you had meager savings, you were on your own for income or you had to rely on family, and lots of family members were not exactly well off. If you came down with a serious illness, it really meant that you would be living in poverty and squalor. Social Security and Medicare changed those unacceptable terms of the social contract between this country and older people—and changed it for all time. Those programs were about saying that in America—for the older people who fought our wars, strengthened our communities day in and day out, made America a better place because they were always pitching in to help and be constructive—Medicare and Social Security meant that older people and seniors would not face a life of destitution.

That is why I believe every Member of this body—and I heard Senator MURRAY talk about this—ought to find what Congressman MULVANEY has said against Medicare—his anti-Medicare and anti-Social Security agenda—so troubling. I want to be very specific about the days ahead. Medicare, at its core, has always been a promise. It has been a promise of guaranteed benefits. It is not a voucher. It is not a slip of paper. It is a promise of guaranteed benefits. We made the judgment—I just went briefly through some of the history—because no one would ever know how healthy they would be when they reached age 65. We talked about it in the Budget Committee and in a number of meetings here in the Senate. I am definitely for updating the Medicare promise, updating the Medicare guarantee, and improving it, for example, to include chronic care services, cancer services, diabetes, services dealing with a whole host of chronic illnesses. That is going to consume much of the Medicare budget. We can have more home care and we can use telemedicine, and we can use nonphysician providers.

Senator MURRAY knows that in our part of the country we really have found a way to get people good quality care in an affordable way, but we are keeping the promise. We are keeping the promise of the Medicare guarantee.

Congressman MULVANEY would break the promise of Medicare. If confirmed, he would join his former House colleague who just became Health and Human Services Secretary, Tom Price, who said in really very blunt terms over the years that he wanted to privatize the program. He wanted to privatize and cut the program. He basically indicated with his legislation that he didn't really believe in Medicare, and he didn't believe in the guarantee of services that Medicare provided. If you look at Congressman MULVANEY's record, it certainly indicates he shares the views of our former House colleague who just became Health and Human Services Secretary, Tom Price.

With respect to Social Security, this year nearly 62 million Americans and their families count on receiving retirement, survivors, and disability benefits to stay afloat. This is a program that keeps tens of millions of seniors out of poverty. It is unquestionably one of the most popular programs in American history. It has changed the fabric of the country for the better.

Again, I think about the days when I worked with older people. We had millions of older people who month in and month out would just walk an economic tightrope. They would try to balance their food costs against their fuel costs and their fuel costs against their medical costs. Social Security and Medicare came along to make sure those older people wouldn't be pushed off that economic tightrope. So Social Security has changed the fabric of the country for the better without doubt, and yet Congressman MULVANEY proposes to raise the Social Security age to 70, which would be a 20 percent cut to benefits.

Let's picture what this means, particularly for the millions of older people who might not have had a job where they could work on their laptop, and they had a physical job. They worked hours and hours on their feet day in and day out. Ask the single mom who spent decades working multiple jobs that way to put food on the table and send her kids to school what it is going to mean to cut their benefits that way—or the loggers or the dock workers, the miners, and all of those people who have worked hard and have been on their feet with physically grueling work. Ask them about raising the Social Security age this way. I think you are going to get a pretty good sense of how strongly Americans oppose this kind of Mulvaney approach.

So by way of summing up, I think it would be hard to find a more significant task for the Congress at this time than protecting Social Security and Medicare, advocating for the two as great achievements in the history of American policymaking. They are right at the center of our safety net.

Now you have to give Congressman MULVANEY credit for one thing. He has been blunt, he has been explicit, and he is not shy about essentially his vision of hollowing these programs out and dismantling them. When asked about whether he was going to stick to his proposal to cut the programs, he said:

> I have to imagine that the President knew what he was getting when he asked me to fill this role. I would like to think it is why he hired me.

That is why I say—and Senator MURRAY touched on this—what kind of a bait-and-switch game are we talking about here? You have the President—Candidate Trump—saying: Nothing doing; nobody is going to mess with Social Security and Medicare—off limits. I want older people in America to know they are going to be safe if they elect me.

It was almost like a litmus test for America's older people. Then Congressman MULVANEY comes along and he basically calls the bluff on the whole thing. He describes the bait and switch in very blunt terms, where he says: ''I have to imagine the President knew what he was getting when he asked me to fill this role''—that the President knew what the Mulvaney record was all about, which was about ending Medicare as we know it.

So I will just close by way of saying that I see that a big part of my job, and what Oregonians sent me here to do, is to defend Medicare and Social Security for generations of Americans to come. That is why I am a no on the Mulvaney nomination. I urge my colleagues to oppose the nomination.

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.

Mrs. McCASKILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. McCASKILL. Mr. President, most Americans don't know who the Director of OMB is, but I want to stand today and explain what an important position in our government it truly is.

The Director of OMB is responsible for not only implementing and articulating the President's budget but also safeguarding the regulatory process. I would say there is another part of the job because when you are Director of OMB and you are putting the budget out, you also have to understand the checks and balances of our government, including that there are two Houses in Congress and there are different opinions in Congress. Sometimes, in order to get a budget, the word ''compromise'' has to be utilized, which, by the way, was one of the favorite concepts of our Founding Fathers in our Constitution. That is why they embraced checks and balances, because they wanted to foster compromises and consensus.

That is why Representative MULVANEY is not the right person for this job. He is someone who has been a disrupter. There is a place for disrupters in government. I am not casting aside all disrupters, but I don't think a disrupter belongs as the head of the OMB.

Some people are going to talk a lot about his career and quote him: ''We have to end Medicare as we know it.'' Others will talk about how he has agreed with the characterization of Social Security as a Ponzi scheme; that he has advocated raising the Social Security eligibility age to 70, even for people who would be as old as 59 right now and maybe having worked in physical labor all of their lives. Yes, he has advocated dramatic changes in dismantling Medicare and Social Security in many ways. I would like to focus on the fact that he thinks it is OK to default on the debt, that he thinks a government shutdown was good policy in terms of making a point, and that he has supported indiscriminate cuts to our defense budget that were a blunt instrument based on an ideology and not a thoughtful position based on our national security.

I listened to Mr. MULVANEY as he said to me in a one-on-one meeting how he would prioritize the debts he would pay if he defaulted on the debt. Wouldn't that be a great addition to the chaos we are all feeling right now; that the U.S. Government would be Turkey or Greece or another country that is having trouble meeting its obligations.

We have been a beacon on the Hill not just for freedom and not just for liberty but a beacon on the Hill in terms of economic strength. The notion that we would not rise to our obligations—understanding, as Congressman MULVANEY does, that this is not a spending issue; this is a meeting-our-obligations issue. This is like buying a pickup truck and halfway through the payments you decide you don't want to pay anymore. This isn't a matter of deciding whether you are going to buy the pickup truck in the first place. That is the appropriations process. Raising the debt limit is merely deciding we are going to pay our obligations.

So the fact that he believes brinkmanship is a good thing in terms of shutting down the government, the fact that defaulting on our debt is an option for Congressman MULVANEY, the fact that if you look at those positions, you realize compromise is not part of his vocabulary; that brinkmanship and rigid ideology is what he would bring to this process, that is the last thing we need in Washington, DC, right now, brinkmanship and rigid ideology, especially when it comes to our budget and prioritizing our funds.

So I cannot support Congressman MULVANEY. As the ranking member on the Homeland Security and Governmental Affairs Committee, I hope I can urge my other colleagues to understand that there are many people whom I could support for Director of OMB, but Congressman MULVANEY is not one of them.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I rise in opposition to the nomination of Congressman MICK MULVANEY to serve as the Director of the Office of Management and Budget.

Under most circumstances, I always give the benefit of the doubt to the incoming President for obvious reasons; that he is the choice of the American people. So it is with great reluctance that I come to the floor of the Senate to rise in opposition to the nomination of Congressman MICK MULVANEY.

President Trump has committed to ''end the Defense sequester and rebuild our military.'' Earlier this month, the President promised troops at CENTCOM headquarters that his administration ''will make an historic financial investment in the armed forces of the United States.'' I fully support the President's commitment. I fear that Congressman MULVANEY, as the Director of the Office of Management and Budget, does not.

I believe we must rebuild our military while at the same time putting our Nation on a sustainable, long-term fiscal path. We can and must do both. Unfortunately, Congressman MULVANEY has spent his last 6 years in the House of Representatives pitting the national debt against our military. He offered amendments in support of cutting our national defense funding year after year after year.

As my colleagues and I sought repeatedly to find legislative solutions to reverse dangerous defense cuts and eliminate arbitrary defense spending caps, it was Congressman MULVANEY and his allies who repeatedly sought to torpedo these efforts.

In 2013, Congressman MULVANEY succeeded in passing an amendment to cut $3.5 billion from the Defense appropriations bill. His website featured an article touting the achievement, but when I asked him about that vote during his confirmation hearing, Congressman MULVANEY said he didn't remember that amendment. I think anybody who treats our national defense with the seriousness it deserves would remember a vote like that.

President Trump has said that defense cuts over the last several years have depleted our military. Our military leaders have testified that these cuts have placed the ''lives of'' our military ''servicemembers at greater risk.'' That is an exact quote from our military leaders, but Congressman MULVANEY has said that in the greater scheme of things, sequestration cuts were not that big. He also said: ''The only thing worse than those military cuts would be no cuts at all.''

This is the kind of statement that can only be made by a person detached from the reality of what these cuts have meant to military servicemembers. Tell that to the thousands of soldiers who were forced out of the Army because of these cuts. Tell that to the Marine pilots who fly fewer hours per month than their Russian and Chinese counterparts because of these cuts. Tell that to the Air Force maintainers, stealing parts from retired aircraft and museum pieces to keep their planes in the air because of sequestration. Tell that to the crew of the submarine USS Boise who can't deploy because their boat is no longer qualified to dive and can't receive required upkeep because of chronic maintenance backlogs. Tell that to the thousands of Navy sailors who have picked up the slack for an overworked Navy by going on extended deployments and spending more and more time away from their families, all because of the defense cuts.

Congressman MULVANEY's beliefs, as revealed by his poor record on defense spending, are fundamentally at odds with President Trump's commitment to rebuild our military. This record can't be ignored in light of the significant authority exercised by the Director of the OMB over the Federal budget.

Almost every one of my colleagues in this body—all but one—voted for Jim Mattis to be Secretary of Defense because they knew he was the right leader to help the Department of Defense confront growing threats to our national security. I share that same confidence, but I also know he can't do it alone. Voting in favor of Congressman MULVANEY's nomination would be asking Secretary Mattis to spend less time fighting our enemies overseas and more time fighting inside the beltway budget battles with an OMB Director with a deep ideological commitment to cutting the resources available to his Department.

Congressman MULVANEY's record is equally troubling when it comes to foreign policy. Apparently, Congressman MULVANEY shared President Obama's naive assumptions about Russia's threat to Eastern security when he voted to require the withdrawal of two Army brigade combat teams from Europe in 2012. He compounded the error in 2013 when he voted to withdraw the 2nd Cavalry Regiment from Europe. Congressman MULVANEY and others

supported these withdrawals in the name of saving money, but the short-sighted decision to withdraw troops and capabilities from Europe ended up costing the taxpayers billions more, not less.

When Russia invaded Ukraine in 2014, America's military presence in Europe was inadequate to the scale and scope of Russia's threat to our interests and our allies. Addressing this problem has required billions of dollars in new investments to enhance our deterrent posture in Europe; in other words, American taxpayers, quite literally, paid the price for the strategic mistake of withdrawing from Europe, supported by Congressman MULVANEY.

In 2011, Congressman MULVANEY voted for the immediate withdrawal of all U.S. troops from Afghanistan. I repeat that. This is not a typographical error. In 2011, Congressman MULVANEY voted for the immediate withdrawal of all U.S. troops from Afghanistan. Congressman MULVANEY voting to abandon America's mission to prevent Afghanistan from becoming a safe haven for terrorists to attack our homeland as they did on September 11, is disturbing enough, but Congressman MULVANEY's testimony during his confirmation hearing that he did so at the urging of a single constituent, with no apparent regard for the national security consequences, leaves me with serious doubts about his judgment on matters of national security.

Beyond matters of defense and national security policy, I am also concerned about Congressman MULVANEY's support for reckless budget strategies that led to a government shutdown. He made frequent attempts to diminish the impact of the shutdown by referring to it as a ''government slowdown,'' or the more Orwellian term, ''temporary lapse in appropriations.'' There are few people whose views and record are more representative of the dysfunction that has gripped Washington for the last several years than that attitude.

Over my 30 years in the Senate, I have shown great deference to Presidents of both parties in selecting members of their Cabinet, but I cannot on this nominee. My decision to oppose this nomination is not about one person. It is not about one Cabinet position. This is not personal. This is not political. This is about principle. This is about my conviction as chairman of the Senate Armed Services Committee that providing for the common defense is our highest constitutional duty and that rebuilding our military must be the No. 1 priority of the Congress and the White House.

I will vote to oppose Congressman MULVANEY's nomination because it would be irresponsible to place the future of the defense budget in the hands of a person with such a record and judgment on national security.

This is the beginning, not the end, of the fight to rebuild our military. I will continue to stand on principle as this body considers a budget resolution for the coming fiscal year and Defense authorization bill and a Defense appropriations bill, and I will continue to stand on principle in fighting to bring a full repeal of the Budget Control Act's discretionary spending caps to the floor of the Senate.

For 6 years now, Washington dysfunction has imposed very real consequences on the thousands of Americans serving in uniform and sacrificing on our behalf all around the Nation and the world.

From Afghanistan to Iraq and Syria, to the heart of Europe, to the seas of Asia, our troops are doing everything we ask of them. It is time for those of us in this body to do all we can for them. So long as I serve as chairman of the Armed Services Committee, it is my pledge to do just that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

NOMINATION OF NEIL GORSUCH

Mr. HATCH. Mr. President, 2 weeks ago, President Trump nominated Tenth Circuit judge Neil Gorsuch of Colorado to fill the vacancy left by the death of Supreme Court Justice Antonin Scalia. Judge Gorsuch, in my opinion, is the ideal choice to fill this seat. He has impeccable credentials and a decade-long record on the bench demonstrating a keen understanding of the proper role of a judge.

Given the increasingly contentious nature of the confirmation process, it is not surprising that many of my colleagues on the other side of the aisle and their special interest group allies are stretching to find anything objectionable about Judge Gorsuch, no matter how ridiculous.

Today, I wish to address one of their latest, most outlandish claims: that Judge Gorsuch would not serve as an independent check on the executive branch. For example, last week in Politico, Senator SCHUMER, the distinguished Senator from New York, declared in an opinion piece: ''The most important factor in assessing a Supreme Court nominee . . . is whether or not the potential justice will be an independent check on an executive who may act outside our nation's laws and the Constitution.'' Senator SCHUMER doubled down on these comments in the New York Times. There, he argued that it was impossible for him to discern Judge Gorsuch's judicial independence when they met in person. Why? Because Judge Gorsuch refused to say how he would rule on specific issues or how he would review particular government actions. These misleading narratives are an irrelevant, wasteful distraction from our consideration of Judge Gorsuch's sterling record and the merits of confirming him to the Supreme Court.

Last month, I warned that the left would use these diversion tactics in an attempt to discredit the President's nominee. Shortly before Judge Gorsuch's nomination was announced, I predicted in an opinion piece in the Washington Post that advocates and interest groups would want to know how the nominee would decide particular cases before those cases ever reached the Court to make sure the nominee is on the right team. I was right.

Our Nation's Founders would have been embarrassed by such questions. Instead, the questions we ask should focus on whether the nominee will interpret and apply the law faithfully and neutrally no matter what the issue is. After all, that is what our Constitution demands.

Our Founders are not the only ones who would be embarrassed. I have been in the Senate for the last dozen Supreme Court confirmations. Every nominee we have considered has rightly refused to answer such questions. Consider, for example, Justice Ginsburg's response at her confirmation hearing. She said:

> A judge sworn to decide impartially can offer no forecasts, no hints, for that would show not only disregard for the specifics of the particular case, it would display disdain for the entire judicial process.

Just last month in a speech in Arizona, Justice Sotomayor had an even stronger warning against asking and answering such questions. She said:

> What you want is for us to tell you how as a judicial nominee we're going to rule on the important issues you find vexing. . . . Any self-respecting judge who comes in with an agenda that would permit that judge to tell you how they will vote is the kind of person you don't want as a judge.

So let's stop with this nonsense of trying to get Judge Gorsuch to prejudge issues that could come before the Court. I hope my colleagues appreciate the irony in asking a judge to say how they would rule on particular issues in order to prove that the judge is judicially independent. I agree with Justice Sotomayor: A nominee who will tell you how she would vote is the kind of person you do not want as a judge.

But if judicial independence really is the most important factor, as Senator SCHUMER suggests, then this confirmation process should be the easiest one in the Senate's history. Over 11 years on the Tenth Circuit, Judge Gorsuch has consistently demonstrated in his judicial opinions and other writings that he deeply values the constitutional separation of powers between the three branches of the Federal Government. Judge Gorsuch understands that the Constitution gives each branch distinct roles: Congress makes the laws, the President enforces those laws, and the courts interpret those laws and the Constitution. The branches may act only according to the powers the Constitution grants them, with the remaining powers and rights reserved to the States and ultimately to the people.

With respect to the power of the executive branch, Judge Gorsuch has a strong record of reining in actions which violate the Constitution and the

law. Perhaps the best example is his opinion in the immigration case Gutierrez-Brizuela v. Lynch. There, the Attorney General attempted to apply a new agency rule retroactively prohibiting a noncitizen from receiving relief under Federal immigration law. Writing for the Tenth Circuit, Judge Gorsuch ruled that such action exceeded the executive's power to enforce the law.

In a separate opinion, he noted that there is an elephant in the room: the so-called Chevron deference doctrine, which requires courts to defer to Federal agency interpretations of the law we pass. He expressed constitutional concerns about Chevron deference. Judge Gorsuch wrote:

> [T]he fact is Chevron . . . permit[s] executive bureaucracies to swallow huge amounts of core judicial and legislative power and concentrate federal power in a way that seems more than a little difficult to square with the Constitution of the framers' design. Maybe the time has come to face the behemoth.

Judge Gorsch then proceeded to provide a textbook explanation of the proper separation of powers under our Constitution. As he stated, the Founders included a strong separation of powers in the Constitution because ''[a] government of diffused powers, they knew, is a government less capable of invading the liberties of the people.''

As my colleagues know, I am no fan of Chevron deference. Last Congress, I introduced the Separation of Powers Restoration Act to get rid of it. As I noted when I introduced the legislation, regulators have taken advantage of the courts' deference under Chevron to shoehorn the law for their own political agenda, expanding their authority well beyond congressional intent. But the Constitution's separation of powers makes clear that it is the responsibility of the courts, not the bureaucracy, to interpret the law. So I am pleased Judge Gorsuch understands that the Constitution requires Federal judges to serve as an independent check on how Federal agencies interpret the laws we enact.

Separation of powers is not just about ensuring that the executive branch performs its proper role of executing the law; separation of powers is also about making sure Federal judges understand their proper role under the Constitution. As Chief Justice Marshall famously explained in Marbury v. Madison, judges have a constitutional duty to say what the law is. Simply put, judges must be faithful interpreters of our laws and the Constitution.

Under our constitutional separation of powers, it is not the role of Federal judges to make or change laws by imposing their own policy preferences. It is not their role to look beyond the law to consider their personal views and feelings. And it is not their role to choose winners and losers based on subjective beliefs that favor one group over another.

In my 40 years in the Senate, I have reviewed the record of hundreds of nominees for the Federal bench. I don't think I have ever reviewed the record of a nominee who better understands his proper role under the Constitution than Judge Gorsuch. Consider, for example, Judge Gorsuch's touching tribute to Justice Scalia that was published last year in the Case Western Reserve Law Review. In that speech, Judge Gorsuch eloquently explained how judges should not be in the business of ruling in ways that reflect their own political views or policy preferences. Judges, after all, are not elected legislators. Instead, judges should interpret the law as written. They must start with the text of the statute and then utilize the traditional tools of statutory interpretations to discern the meaning of any particular law.

Judge Gorsuch understands, to borrow from Alexander Hamilton, that the judiciary should be the least dangerous branch. These aren't just words; Judge Gorsuch's judicial record confirms that he lives this judicial philosophy of restraint and humility.

In an essay I published last week on SCOTUSblog, I reviewed a number of judicial opinions by Judge Gorsuch that demonstrate his commitment to the separation of powers and the proper role of a judge in our Federal system. I will not go through all of those cases here, but I ask unanimous consent that the essay be printed in the RECORD.

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

[From SCOTUSblog]

WORRIED ABOUT THE SEPARATION OF POWERS? THEN CONFIRM JUDGE GORSUCH

(By Senator Orrin Hatch)

Last week, President Donald Trump nominated Judge Neil Gorsuch to replace Justice Antonin Scalia on the U.S. Supreme Court. Judge Gorsuch is an ideal choice to fill this seat: He has impeccable credentials and a decade-long record on the bench demonstrating a keen understanding of the proper role of a judge. Given the increasingly contentious nature of the confirmation process, it is no surprise that many Democrats are stretching to find anything objectionable about Judge Gorsuch, no matter how ridiculous. In the current political environment, they have focused much of their criticism on one particularly strained argument: their claim that Justice Gorsuch would not serve as an independent check on the executive branch.

Fortunately, we do not have to speculate about how Justice Gorsuch would decide these kinds of cases. Judge Gorsuch has consistently demonstrated in his judicial opinions and other writings that he deeply values the constitutional separation of powers between the three branches of the federal government. Judge Gorsuch understands that the Constitution gives each branch distinct roles: Congress makes the laws, the President enforces those laws, and the courts interpret those laws and the Constitution. The branches may act only according to the powers the Constitution grants them, with the remaining powers and rights reserved to the states and, ultimately, to the people.

With respect to the power of the executive branch, Judge Gorsuch has a strong record of reining in unlawful overreach. For instance, in Gutierrez-Brizuela v. Lynch, the Attorney General had attempted to apply a new agency rule retroactively to prohibit a noncitizen from receiving relief under federal immigration law. Writing for the U.S. Court of Appeals for the 10th Circuit, Judge Gorsuch concluded that such action exceeded the executive's power to enforce the law. In a separate opinion, he went one step further and expressed concerns about how judge-made doctrines that require judicial deference to federal agency actions—namely, Chevron deference and its progeny—''permit executive bureaucracies to swallow huge amounts of core judicial and legislative power and concentrate federal power in a way that seems more than a little difficult to square with the Constitution of the framers' design.'' Judge Gorsuch then proceeded to provide a textbook explanation of the proper separation of powers between the three branches, concluding that ''[i]t 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. A government of diffused powers, they knew, is a government less capable of invading the liberties of the people.''

Nor is Judge Gorsuch a supporter of federal judges who go beyond their constitutional role in interpreting the law. As Judge Gorsuch has eloquently explained, ''judges should be in the business of declaring what the law is using the traditional tools of interpretation, rather than pronouncing the law as they might wish it to be in light of their own political views, always with an eye on the outcome, and engaged perhaps in some Benthamite calculation of pleasures and pains along the way.'' It is not judges' role to make or change laws by imposing their own policy preferences instead of what Congress actually passed. It is not their role to look beyond the text of the law to consider their personal views and feelings. And it is not their role to choose winners and losers based on subjective beliefs that favor one group over another. Judge Gorsuch's opinions reinforce his judicial philosophy of restraint and humility and his proper understanding—to borrow from Alexander Hamilton—that the judiciary should be the ''least dangerous'' branch.

Consider, for example, United States v. Games-Perez. There, the 10th Circuit upheld a conviction for possession of a firearm by a felon. The criminal defendant argued that he was unaware that he was a convicted felon, but the court rejected this argument as foreclosed by the court's prior precedent. Judge Gorsuch penned a separate opinion. He agreed that the court was bound by its own precedent, but he wrote separately to urge the court to reconsider its precedent in light of the plain text of the statute that requires the government to prove the defendant knew he was a convicted felon. As Judge Gorsuch explained, ''we might be better off applying the law Congress wrote than the one [the court] hypothesized. It is a perfectly clear law as it is written, plain in its terms, straightforward in its application.'' He continued: ''Of course, if Congress wishes to revise the plain terms of [the statute], it is free to do so anytime. But there is simply no right or reason for this court to be in that business.''

Sometimes a judge is asked to consider the proper separation of powers between all three branches. For instance, in Hobby Lobby Stores, Inc. v. Sebelius, the 10th Circuit considered whether certain regulations issued by the U.S. Department of Health and Human Services under the Patient Protection and Affordable Care Act violated the plaintiffs' rights under the Religious Freedom Restoration Act. In particular, the plaintiffs argued that the regulations' health

insurance mandate for employers violated RFRA's statutory protections on religious freedom by forcing employers to provide health insurance coverage for abortion-inducing drugs and devices. Judge Gorsuch's opinion explained why the owners of one of the plaintiff companies were entitled to relief under RFRA. As an initial matter, he noted that the owners' ''religious convictions are contestable'' and that ''[s]ome may even find [their] beliefs offensive,'' but that RFRA ''does perhaps its most important work in protecting unpopular religious beliefs.''

Judge Gorsuch then turned to the statutory interpretation question at issue and noted that the case was a ''tale of two statutes.'' Wrote Judge Gorsuch: ''The ACA compels the [plaintiffs] to act. RFRA says they need not. We are asked to decide which legislative direction controls.'' To decide which statute controlled, he did not defer to the executive branch's position on the matter. Nor did he seek to impose his own policy preferences. To the contrary, he noted that ''[t]he tiebreaker is found not in our own opinions about good policy but in the laws Congress enacted.'' Because ''Congress structured RFRA to override other legal mandates, including its own statutes, if and when they encroach on religious liberty,'' and ''because the government identifies no explicit exclusion in the ACA to its dictates,'' Judge Gorsuch concluded, RFRA's directive prevailed.

Even a casual review of Judge Gorsuch's opinions should eliminate any concerns my Senate colleagues may have concerning his commitment to the Constitution's separation of powers. In his opinions, Judge Gorsuch has resisted executive branch efforts to make laws as opposed to merely enforcing those laws as written. Indeed, his opinions and other writings cogently make the case for this approach to separation of powers in a way that finds few rivals on the federal bench and reminds me much of the case Justice Scalia made during his time on the Court. Judge Gorsuch, moreover, has been a model of respect for the proper judicial role, a judicial philosophy under which ''judges seek to interpret texts as reasonable affected parties might have done rather than rewrite texts to suit their own policy preferences.''

To be sure, that Justice Gorsuch would be a fierce defender of the separation of powers and the rule of law does not mean his rulings will match his policy preferences, much less mine. In fact, in his tribute speech to Justice Scalia last year, Judge Gorsuch embraced Justice Scalia's philosophy of judicial restraint: ''If you're going to be a good and faithful judge, you have to resign yourself to the fact that you're not always going to like the conclusions you reach.'' That is precisely why Judge Gorsuch is the right choice for the Supreme Court.

Mr. HATCH. To be sure, that Justice Gorsuch would be a fierce defender of the separation of powers does not mean his rulings will match his policy preferences. As Justice Scalia wisely remarked, good and faithful judges will not always like the conclusions they reach in interpreting the law. And it certainly does not mean that his rulings will match my policy preferences or those of my colleagues. As I have repeatedly stated on this floor over decades, that is not the proper inquiry when we assess the qualifications of a nominee to the Federal bench. Federal judges must be judges, not super-legislators.

The bottom line is, even a casual review of Judge Gorsuch's opinions should eliminate any concerns my colleagues may have concerning Judge Gorsuch's commitment to the Constitution's separation of powers. Any review would lead to that conclusion. In his opinions, Judge Gorsuch has resisted executive branch efforts to make laws as opposed to merely enforcing those laws. Judge Gorsuch's opinions and other writings make the compelling case for separation of powers in a way that finds few rivals on the current Federal bench.

If my colleagues are truly concerned about the proper separation of powers between the three branches of government, there is a simple solution: Confirm Judge Gorsuch as an Associate Justice on the United States Supreme Court.

REPEALING AND REPLACING OBAMACARE

Mr. President, I want to once again discuss the ongoing effort to repeal and replace the so-called Affordable Care Act. This is one of our most vexing issues of the day. Of course, this isn't the first time I have come to the floor to discuss ObamaCare, and I am fairly certain it won't be the last.

I was here just last week, in fact, talking about the general unanimity among Republicans on these issues, despite the seemingly eternal focus on the supposed divisions among our ranks. While some are still advancing that narrative, Republicans are, overall, still united in our desire to repeal and replace ObamaCare. As I said last week, I don't know if there is a single Republican in Congress who supports keeping the healthcare status quo in place. All of us want to right what went wrong with the poorly named Affordable Care Act and provide patients and consumers with more healthcare choices that address healthcare costs.

Most differences of opinion that do exist on these matters are more about timing than anything else. As I have said before, I support moving quickly to repeal ObamaCare and include as many replacement policies as possible under the rules of the reconciliation process. More specifically, I support repealing ObamaCare's harmful taxes, and I will explain why.

Put simply, the tax provisions in ObamaCare were poorly conceived and recklessly enacted, and they are harmful to our economy. Those taxes came in a number of forms, including the employer mandate and the individual mandate, both of which are enforced through the Tax Code.

In addition, there is the health insurance tax, the Cadillac tax, along with new taxes on healthcare savings and pharmaceuticals. ObamaCare also included a payroll tax hike for some high-income earners as well as additional taxes on investing. And, of course, we cannot forget the medical device tax, which, in just the first 3 years that ObamaCare was implemented, resulted in more than 30,000 lost jobs in that important industry.

All told, the tax provisions of the Affordable Care Act represented a trillion-dollar hit on the U.S. economy in the first 10 years, and the burdens of the vast majority of these taxes are ultimately borne by patients and consumers in the form of higher costs, larger tax bills, and reduced value in existing health plans and savings accounts.

I know some of my colleagues like to plead ignorance on the notion that taxes on a particular industry tend to be passed along to that industry's consumers, but it is a fact that can't be ignored. Taxes on health insurance plans increase premiums for patients. Taxes on drug companies make drugs more expensive. Taxes on medical device sales increase the costs of those devices.

It is not a complicated concept; it is the natural byproduct of tax provisions negotiated with stakeholders behind closed doors under threat of increased government intrusion and market regulation. These taxes weren't drafted solely to pay the cost of ObamaCare; they were also part of a strategy to get the law through Congress, dividing the business community and pitting industries against one another to prevent widespread opposition. As I said, at the end of the day, it is patients and consumers—individuals and families—who pay most of the freight on these types of tax policies.

Don't take my word for it. Let's look at one major example. Congress's nonpartisan scorekeeper, the Joint Committee on Taxation, indicated that, by and large, the tax on health insurance premiums would be passed along to health insurance policyholders.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the JCT to Senator GRASSLEY, dated October 28, 2009.

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

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON TAXATION,
Washington, DC, October 28, 2009.

Hon. CHARLES E. GRASSLEY,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

DEAR RANKING MEMBER GRASSLEY: You requested that we provide you with an analysis of the incidence of the insurance industry fee provision of S. 1796, the ''America's Healthy Future Act,'' our estimate of the effect on the after-tax price of purchased health insurance, and a distributional analysis of the provision.

INSURANCE INDUSTRY FEE

Sec. 6010 of S. 1796 would impose an annual fee on any covered entity engaged in the business of providing health insurance with respect to United States health risks. Under the provision, employers who self-insure their employees' health risks and governmental entities are not covered entities.

The fee applies for calendar years beginning after 2009. The aggregate annual fee for all covered entities is $6.7 billion. Under the provision, the aggregate fee is apportioned among the covered entities based on a ratio designed to reflect theft relative market share of U.S. health business.

For each covered entity, the fee for a calendar year is an amount that bears the same

ratio to $6.7 billion as (1) the covered entity's net premiums written during the preceding calendar year with respect to health insurance for any United States health risk, bears to (2) the aggregate net premiums written of all covered entities during such preceding calendar year with respect to such health insurance.

INCIDENCE OF INSURANCE EXCISE TAXES

The proposed fee is similar to an excise tax based on the sales price of health insurance contracts. The effective excise tax rate varies from year to year depending upon the aggregate value of health insurance sold. The economic incidence of an excise tax imposed on sale of health insurance contracts (that is, who actually bears the cost of the tax) may differ from the statutory incidence of the tax (that is, the person on whom the tax is levied). Taxes may be borne by any of the following: consumers in the form of higher prices; owners of firms in the form of lower profits; employees in the form of lower wages; or other suppliers to firms in the form of lower payments. This makes generalizations about the incidence of taxes difficult to make. Nonetheless, two principles have general validity. First, economic incidence does not depend on whom the tax is levied. Whether the statutory incidence of the tax is on the consumer, the employer, or the insurer, the economic incidence is the same regardless of who writes the check to the government. Second, taxes are shifted from those who are more sensitive to price changes (economists describe these individuals and entities as having more ''elastic'' supply and demand) to those who are less sensitive to price changes (those with more ''inelastic'' supply and demand).

In the case of competitive markets, an excise tax generally is borne entirely by consumers in the form of higher prices in the long term. An excise tax increases the cost of producing an additional unit, or incremental cost, of the taxed good by the amount of the tax. In a competitive market, market forces cause the after-tax price of a good to equal the additional cost of producing and selling another unit of the good. Competition drives the price down to equal the incremental cost of the provision of the good or service, including the return to incremental invested capital. If supply is perfectly responsive to price changes, any price above incremental cost would induce new firms to enter and increase production until prices were bid back down to incremental cost. Similarly, any price below incremental cost would induce firms to exit or reduce production (because they would now be losing money selling the taxed good). The reduction in supply allows prices to increase back up to incremental cost.

This response may be observed even if some of the participants in the competitive market do not seek to maximize profits as their primary objective. Tax-exempt and nonprofit producers may also pass on the tax as they also face the increased incremental cost, which they will need to recover. If they cannot, for example, raise additional funds from donors, effectively passing the tax on to them, their alternative is to pass on the tax to consumers in the form of higher prices.

While consumers are thought to bear the burden of excise taxes in competitive markets, some may question the degree of competition in health insurance markets. Recent surveys have noted that many markets are characterized by the presence of only a few firms. Additionally, there may exist barriers to entry in the health insurance market, including multiple State regulatory requirements, the cost of establishing health provider networks, health provider network effects (i.e., the value of a health provider network to consumers rises with the size of the network), and efficiencies in risk shifting and risk distribution for large firms.

However, the absence of many competitors does not by itself imply that there is no competitive pressure on prices. The threat of potential entrants may provide competitive price pressure on the existing firms. Furthermore, the option to self-insure may provide a source of potential competition for full, purchased insurance, at least for larger firms.

If the insurance industry is not perfectly competitive in a particular market, the question remains as to what extent an insurance excise tax would be borne by consumers or producers in that market. Theoretical analysis has shown that, depending upon market conditions, the price could increase by: (1) more than the amount of the tax; (2) exactly the amount of the tax; or (3) less than the amount of the tax. Various empirical studies have examined the effect of excise taxes on prices in less than perfectly competitive markets. Studies of the tobacco industry suggest that manufacturers pass on more than the full amount of the tax, while studies of less than perfectly competitive retail gasoline markets in rural areas suggest that producers pass on nearly all of the tax. Even in the rural retail gasoline markets in which gas stations may be the sole provider of gasoline for many miles and firms exhibit some pricing power, nearly 95 percent of the excise tax is still passed on to consumers.

While uncertainty exists, we assume that a very large portion of the excise tax on purchased insurance will be borne by consumers in most markets, including in some markets with a high level of concentration among market participants covered by the proposed excise tax. In the context of general health care reform legislation, this assumption is further supported by the presence of an excise tax on individuals without minimum essential benefits coverage, which is likely to make demand for insurance somewhat less sensitive to changes in price, as consumers will have to buy insurance or face a penalty. While consumers (or employers) may respond by changing their insurance coverage from more expensive coverage to less expensive plans to offset any potential price increase, this behavior too is properly characterized as the consumers bearing the burden of the excise tax by accepting lower quality (for example, a more restricted physician network) for the same price rather than paying a higher price for the quality of insurance that they would prefer if there were no tax. To the extent that firms can avoid the tax by switching from full insurance to self-insurance, this may suggest that insurers are unable to pass on the full cost of the excise tax on purchased insurance. Increased self-insurance from firms avoiding the excise tax may increase the cost of this health benefit to employees as firms that previously chose full insurance, presumably because it cost less in the absence of the excise tax than self-insurance, switch to higher cost self-insurance. Additionally, to the extent that insurers maintain some pricing power in the administrative services that they provide self-insurers, the self-insurance market may bear some of the burden of the excise tax as well.

EFFECT OF THE FEE ON THE COST OF PURCHASED HEALTH INSURANCE

The aggregate value of the proposed fee is the same for each year. The current law baseline for health insurance premiums projects rising health insurance premiums annually through the budget period. Consequently the magnitude of the proposed fee declines annually relative to the sale of health insurance. Given the incidence analysis discussed above, while there is imcertainty, we expect a very large portion of proposed insurance industry fee to be borne by purchasers of insurance in the form of higher premiums. Our estimate is that the premiums for purchased health insurance policies, including the tax liability, would be between 1.0 and 1.5 percent greater than they otherwise would be as a consequence of the industry fee for calendar years 2010, 2011, and 2012.

DISTRIBUTIONAL ANALYSIS OF THE INSURANCE INDUSTRY FEE

Regardless of the determination of the economic incidence of the proposed insurance industry fee of S. 1796, at the present time the staff of the Joint Committee on Taxation is not able to distribute the effects across individuals on our individual tax model. The proposed insurance industry fee would apply only to the revenues from underwritten policies sold to third parties. It would not apply to the value of health benefits received by individuals through their employers who self-insure the health risks of their employees. Our individual tax model is based upon a sample of approximately 180,000 actual tax returns. To distribute proposed tax changes related to economic activity that is not already reflected on the individual tax return we impute values or statistically match supplemental information such as data gathered by the Census Bureau, to the individual tax returns of our model. For our quantitative analysis of employer-provided health benefits we have made such imputations of data relating to employees' employer-provided health care benefits to the individual model. These imputations are based on the data collected as part the Medical Expenditure Panel Survey (''MEPS''), a survey undertaken by the Agency for Healthcare Research and Quality of the Department of Health and Human Services, However, the imputations we have made to the individual tax model at this time relate only to the value of employer expenditures for the health care of their employees. These imputations do not generally distinguish between the employers' purchased insurance coverage and benefits for which the employer self-insures. Consequently, we are unable to distribute either the economic incidence or the revenues generated from the proposed fee of S. 1796, which applies only to purchased health insurance,

I hope this information is helpful to you. Please contact me if we can be of further assistance,

Sincerely,

THOMAS A. BARTHOLD.

Mr. HATCH. While we are setting the record straight on ObamaCare, my colleagues on the other side have repeated a particular false claim that needs correction. My Democrat friends are fond of characterizing the repeal of ObamaCare as a tax cut for high-income earners and a tax increase for low- and middle-income taxpayers. That claim is simply false.

According to JCT, the Joint Committee on Taxation, the Affordable Care Act imposed significant and widespread tax increases on taxpayers earning less than $200,000 a year, despite President Obama's repeated promises that the law would not do so. In fact, in 2017, a single provision—the reduction in the deductibility of catastrophic losses—is projected to raise taxes on 13.8 million taxpaying families and individuals, mostly from the middle class. That is more than the number of taxpayers who receive exchange credits and other premium subsidies under

current law. That is just one example. There are others.

Fortunately, we have been able to forestall the impact of a number of the ObamaCare tax provisions. We have fought and negotiated long and hard to do so, but virtually all of those taxes are still looming on the ObamaCare horizon.

Most of us on the Republican side have been fighting these taxes more or less since the day ObamaCare was signed into law. We have highlighted their harmful impact on the economy and decried the crony capitalism that was behind the effort to draft and enact them.

Given this long history, at least in my view, it is essential that we repeal all of these taxes, along with the rest of ObamaCare. It is difficult to imagine how Republicans, who are now in the majority in large part due to the promises we made to repeal and replace the Affordable Care Act, can now sift through ObamaCare's taxes and decide which ones are the least objectionable so that we can use them to pay for our own healthcare reforms.

ObamaCare isn't problematic simply because healthcare costs are not going up; it was fundamentally flawed at the outset. The way the law was drafted was, and still is, a problem. The way the law was negotiated—with stakeholders being played against each other—was, and still is, a problem. Of course, the way the law was paid for was, and still is, a problem. The ObamaCare taxes are a big part of this equation. In my view—and, I think, the view of the vast majority of my Republican colleagues—they have to go.

As I said, there really are not widespread disagreements among Republicans on these issues. Overall, we broadly agree on the fundamental issues surrounding ObamaCare, and, as I noted last week, it is not all that problematic to have some differences of opinion on the initial stage, so long as we can overcome those differences in the end. I think we can do that. More importantly, I think we will.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Illinois.

Mr. DURBIN. Mr. President, pending before the U.S. Senate is the nomination of MICK MULVANEY, a Congressman who is seeking to be the Director of the Office of Management and Budget.

If you were to ask the people of America about the Cabinet positions filled by the President, the one they probably would miss is the Office of Management and Budget. It turns out to be one of the more important positions, but it is not as well known historically as Treasury Secretary, Secretary of State, and Attorney General. It is an important job. It is one of the most consequential jobs because the Director of the Office of Management and Budget is responsible for preparing the President's budget, setting the priorities of the Federal budget, and overseeing the performance of Federal agencies. It is a big and challenging job.

Many other nominees for positions in the Cabinet are well known and have been debated on the floor of the Senate. Today I come to say a few words about the record of this Congressman, MICK MULVANEY, who is seeking this directorship of the Office of Management and Budget. It is a very interesting record.

It is not unusual for Members of the House and the Senate to have unusual positions on issues. I guess each one of us has something we believe intensely that other people question. When it comes to Congressman MULVANEY, there is a long litany of positions he has taken that are far out of the mainstream of either political party. Yet President Donald Trump decided this is the man, this is the person he wanted to head up his budgeting effort. This is the person he wants to set the priorities for spending in the United States of America during his Presidency.

If you look at the record of MICK MULVANEY, you will find that he has had an eagerness to dictate large and draconian cuts across the Federal Government in some of our most important and most cherished programs. Let me tell you about a few that highlight his record in Congress. Each one of these that I will speak to, if advanced by the Director of the Office of Management and Budget, would have far-reaching consequences on families and individuals across the United States, not only in the operation of government but also in the effectiveness of our Federal workforce.

To start with—and this, I think, is the right place to start—Congressman MULVANEY, who seeks the position of Director of the Office Management and Budget, has repeatedly led efforts to shut down the Federal Government. When Mr. MULVANEY and the Republicans succeeded in shutting down the government for 16 days in 2013, it cost the American economy $20 billion. Do you remember that?

Rush Limbaugh got on his radio show and said: If they shut down the government, no one will even notice.

Guess what, Mr. Limbaugh. They noticed.

All across America, working families paid the price for that foolish political act of shutting down the government. The real cost of the government shutdown is not just measured in dollars. The real cost is in hardships unnecessarily created, hardships for Federal employees who didn't receive their checks on a timely basis, hardships for people struggling to survive in America, who relied on programs like food stamps. We call them SNAP benefits now. They had their food in jeopardy and endangered because Congressman MULVANEY and his friends thought that a display of political power—shutting down the government—was the right recipe for America.

These government shutdowns delayed 2 million Federal workers from receiving their checks, real people with real families to feed. Congressman MULVANEY doesn't seem to care about these real-world consequences of a shutdown. Instead, he called the shutdown of the Federal Government ''good policy.'' Those are his words: ''good policy.''

Then, when we finally reached an agreement to reopen the government, he was one of the few Members of the House to vote against the compromise in reopening the government.

In recent years, he has repeated his calls. He is willing to shut down the government of the United States of America to defund Planned Parenthood. This man wants to craft our national budget, and he would shut down the government over one provision in that budget? That is what he said.

Time and again, he has taken extreme positions on the Federal budget. We have a standing tradition in the House and the Senate. Since not one of us can predict when the next natural disaster is going to occur, we try to help one another.

I have voted for funds during the course of my congressional career for disasters in probably every State in the union. Do you know why? Because I knew the day would come—and it did, several times during my tenure in the House and Senate—when there would be a natural disaster in my State, and we needed a helping hand, emergency disaster assistance. That is a tradition which has been around Congress—I can go back almost centuries to see it in past history.

Listen to what Congressman MULVANEY did. He tried to block emergency disaster assistance to States that desperately needed the help of the Federal Government in their recovery efforts. He offered a poison pill amendment to the Hurricane Sandy relief package that would have required across-the-board cuts in military spending—military spending—to pay for disaster relief from Hurricane Sandy. Then he went further and said: Not just military spending, I want cuts in entitlement programs—Medicare, Medicaid. Let's cut the healthcare assistance for Americans to pay for that disaster. That is his idea of social justice.

Despite President Trump's campaign promises to rebuild the Nation's crumbling infrastructure, Congressman MICK MULVANEY has taken an extraordinary and extreme view. He wants to eliminate Federal funding for transportation projects. He cosponsored a bill that would slash the Federal gas tax. That is how we pay for repairing Federal roads and mass transit across America. He isn't interested in fixing the highway trust fund solvency problems. His solution is to bankrupt it.

This is the man who wants to write the budget for America? His extreme ideology would threaten billions of dollars that my State receives in Federal transportation funds. We put money into the Federal highway trust fund,

too, every time we buy a gallon of gas in Illinois. He would cut back on the resources coming back to my State and others to repair the very roads we drive on.

He has consistently supported across-the-board cuts for the Department of Defense, regardless of those affected. Just a few minutes ago, Senator JOHN MCCAIN, the senior Senator from Arizona, came to the floor to announce that because of Congressman MULVANEY's positions on cuts in the military, he—Senator MCCAIN—would oppose the appointment of MULVANEY as head of OMB. Senator MCCAIN said that it is a rare day when he comes out against a Presidential nominee of his own party. But he thinks MULVANEY's record is worrisome, and I couldn't agree more. The positions that Congressman MULVANEY has taken are reckless and would jeopardize the economic security of working families and put our Nation and economy at risk.

Possibly one of the most troubling positions that Congressman MULVANEY has taken is the fact that he is opposed to the Federal Government spending funds for medical research. Last year when Congress was deliberating how to combat the Zika virus, Representative MULVANEY wrote this on his Facebook page: ''Do we really need government-funded research at all?''

Let's think about that for a moment. Do we really need government-funded medical research in the United States? Do we need the National Institutes of Health, the Department of Defense, and the Veterans' Administration investing in trying to find new cures for diseases?

Government-funded research in the Department of Defense has produced fascinating insights into the biology of breast cancer that have greatly impacted the treatment of that disease and saved lives in America. Look at the revolutionary Department of Defense-funded work that led to the development of the innovative drug Herceptin. Government-funded research, which Congressman MULVANEY does not believe we should do, at the National Institutes of Health has accomplished the following. It has cut the U.S. cancer death rate by 11 percent in women and 19 percent in men. And Congressman MULVANEY says: Do we really need to do that? Is that important? I would guess that his family, like every family in America, has a story to tell about cancer—what it has meant, the devastation it has created, the deaths that have resulted.

But Congressman MULVANEY doesn't get it. He just doesn't understand anything as basic as investing in medical research to save lives. HIV/AIDS is no longer a death sentence in America. I saw Magic Johnson just a few weeks ago at a farewell party for President Obama. I remembered the day in the House of Representatives when I was told that he had AIDS. We assumed he would die in just a short period of time. But that was over 25 years ago. He has survived because of research that was done at the National Institutes of Health, and he is not alone. There are thousands just like him.

When I was a kid, polio was something every mother and father were frightened of. What in the world was happening? How could your child be infected with polio and end up being crippled for life? Our Republican leader here, MITCH MCCONNELL, went through that in his childhood and has talked about that episode in his life and how devastating it was. He has had a full life since then, but he has overcome the problems of that disease. I remember as a kid in grade school, when they announced that our government research had come up with a vaccine that would protect kids from polio. That, to me, was a breakthrough, and one that I welcomed and our family welcomed.

Congressman MULVANEY questions whether or not medical research should continue, even in the light of the achievements in eradicating polio and small pox and other diseases in our country. These advances didn't just magically happen because of the miracle of the marketplace. They occurred because of sustained taxpayer investment in Federal medical research.

I will tell you this. If he wants to make a referendum in the Senate or the House on medical research a part of his budget debate, I welcome the challenge. I believe that Members of both political parties would stand up for medical research, despite Congressman MULVANEY's extreme positions.

So when someone asks if we really need government-funded medical research, the answer on behalf of cancer patients who are beating the disease, on behalf of HIV/AIDS patients who are living longer and normal lives, on behalf of all those families hoping and praying that some Federal researcher will come up with a breakthrough for Alzheimer's, for autism, or Parkinson's or diabetes—the answer, Congressman MULVANEY, is unequivocally, yes. America needs to invest in medical research. And the fact that you would question it really raises the question of your judgment.

Let me tell you another thing that he is for, which I think is the single most irresponsible budgetary position he has taken. He has been an opponent of raising the country's debt ceiling.

What is the debt ceiling? That is America's mortgage. That is the amount of debt we incur as a nation. It is a mortgage that is incurred for things that we have already spent money on. So when we come and vote for $600 billion for the Department of Defense and the intelligence agencies and we don't have enough money coming in taxes to pay for it, we have to extend America's mortgage to cover it. Congressman MULVANEY says that is the wrong thing to do—extending the debt ceiling of this country. While running for Congress, Congressman MULVANEY, who now wants to manage our Nation's budget, pledged he would never ever vote to raise the country's debt ceiling. He voted against it four different times.

In 2011, when we were just about to breach the debt limit and default on our national debt for the first time in the history of our country, MULVANEY was a leading voice in support of default. He called it a ''fabricated crisis,'' and accused both parties of ''fear mongering.''

I am not sure what is more disturbing—Mr. MULVANEY's willingness to default on our country's obligations, the full faith and credit of the United States, or his lack of appreciation for the devastating economic consequences which would follow. I can tell you what is at risk with that kind of reckless attitude toward our Nation's debt. What is at risk are the savings and investments and retirement accounts of ordinary Americans across the Nation. Mr. MULVANEY may be willing to gamble the full faith and credit of the United States; I am not. Forcing the Federal Government to default on the Nation's debt would harm the economy and affect the government's ability to make payments to Social Security and Medicare recipients, military personnel, veterans, Federal employees, defense contractors, State governments, and to the bondholders of the United States, here and overseas.

We would lose our credibility if Mr. MULVANEY had his way and allowed us to default on our national debt. We should not ever consider confirming an OMB Director who has repeatedly risked the economic security of our Nation to score political, rhetorical points.

Throughout his campaign, President Trump promised to protect Medicare and Social Security and make decisions that would ''benefit American workers and American families.'' That is a quote. However, instead of making good on the promise, President Trump has chosen a man to head the Office of Management and Budget who has led calls for devastating cuts to Federal programs that millions of Americans rely on every day.

Mr. MULVANEY has said he wants to ''end Medicare as we know it,'' and he has called Social Security a ''Ponzi scheme.'' He has called for raising the retirement age for Social Security to 70, from the 67 that it currently is. Well, 3 more years at work may not mean much to a Member of Congress, because we sit down a lot in these comfortable chairs and people bring us things when we need them. But 3 more years of working before you qualify for Social Security means something to a waitress, whose hips and ankles and knees have been bothering her for years, but she has no choice but to get up every morning, go to work, carry those trays, and try to bring enough money home to help a family. It means something to someone who works in a coal mine—I guarantee you that—3 more years at work, exposing yourself to the lung diseases and other things

that might come with the job. It means something to a truckdriver, spending days and nights on the road. It means something to people who have to move freight around. It is the kind of thing that means a lot to ordinary working people. It clearly doesn't mean anything to Congressman MULVANEY. Three more years working, as far as he is concerned, is an acceptable alternative.

He wants to privatize Medicare and turn Medicare back into the loving arms of private health insurance companies, and let's see what seniors end up experiencing. Almost 60 million Americans now rely on Medicare. In Congressman MULVANEY's point of view, the guarantee of Medicare would end. This is the man President Trump has chosen to head the budget for the United States of America. MULVANEY has called repeatedly for cuts to Social Security, Medicare, and Medicaid, including a ''cut, cap, and balance'' budget, which would cut each of these programs by 25 percent. When you say the word Medicaid, people have an image in their mind: Oh, that is health insurance for poor people. And that is generally correct, although it also covers disabled Americans. But do you know who the major recipients of Medicaid are in America? The largest single group of people receiving help from Medicaid are children—children in poor, low-income families who get medical care through Medicaid. The biggest expenditure for Medicaid is not children though. The biggest expenditure is for the elderly Americans who are living largely at institutional settings, in these care homes, nursing homes. Medicaid keeps them in that place with adequate medical care. So now comes Congressman MULVANEY and says: Let's just cut those by 25 percent. There is one good way to reduce Federal spending.

Really? So that means fewer immunizations for children. What does it mean for your mother or your grandmother in the nursing home when it is announced that we don't have enough money to cover the cost to keep her here in a good, safe, positive environment? For Congressman MULVANEY, it is just numbers on paper. For real families across America, it is the reality of life.

Much like our new Secretary of Health and Human Services, Congressman Price, Representative MULVANEY wants to dramatically undermine the Medicare Program for our Nation's seniors. Let's look at what Medicare has meant to our country since it was created in 1965. Before Medicare, only 51 percent of Americans 65 and older had health care coverage. Nearly 30 percent lived in poverty. Today, 98 percent of seniors have health care, and less than 10 percent live below the poverty line. Has Medicare work? You bet it has. It has provided health insurance for seniors, and it has given people dignity and independence in their senior years—something that everyone should value. And, incidentally, the life expectancy of Americans has grown by 5 years since we created Medicare. It is working. Medicare helps seniors, helps their families, and it helps America. But Congressman MULVANEY doesn't get it.

This man has been chosen by President Trump to write the budget of America. Why is Congressman MULVANEY so hell-bent on ending a program like Medicare that 98 percent of our Nation's seniors depend on? Well, I can tell you, if his comments on Medicare scare you, on Medicaid he is even worse. This program, combined with the Children's Health Insurance Program, ensures health coverage for 70 million Americans. One out of every five nationwide depend on Medicaid. It helps low-income families, pregnant women, children, and those with disabilities. Currently, if you qualify for Medicaid, you are guaranteed to get health coverage. Congressman MULVANEY thinks he has a better idea. He wants to change that.

Congressman MULVANEY wants to significantly cut the Federal funding for Medicaid and leave States to fend for themselves when it comes to caring for these 70 million Americans. Faced with less Federal funding, States would be forced to find ways to cut spending and save money. They might start Medicaid waiting lists or impose work requirements or slash benefits. At the end of the day, the result would be catastrophic.

I just spent the last weekend in Southern Illinois. We had a roundtable down there to talk about the impact of the repeal of the Affordable Care Act. These hospital administrators from smalltown hospitals came in to tell me that losing Medicaid reimbursement could force them to dramatically cut their workforce and maybe even face closure. Here is Congressman MULVANEY suggesting: Let's just do that across America. I wonder where he lives. I wonder if there are any small towns or rural areas near him. I wonder if he values those hospitals the way the people living in communities that I represent value them. These are not only lifelines for people who desperately need timely, professional medical care, but they are the source of the best jobs in the community. Congressman MULVANEY could care less: Let's just keep cutting on Medicaid and see what happens.

What will happen will be devastating.

Mr. MULVANEY isn't content with just throwing seniors off Medicare and low-income families off Medicaid. He wants to punish women by taking away their healthcare providers and inserting his own decisions into their medical decisions. Mr. MULVANEY has repeatedly attempted to defund Planned Parenthood health centers, which provide women and men with important cancer screenings, family planning, STD testing, and other important health care services.

The laws of the United States of America provide that not one penny can be given to Planned Parenthood for abortion services—not one penny under the law. Most people, if asked what percentage of the Planned Parenthood budget is actually spent on abortion services would get it wrong. The actual number is 3 percent. Ninety-seven percent of what Planned Parenthood does, in terms of family planning, cancer screening, STD screening, has no relation directly to abortion services, and that is compensated, but abortion services are not under the law. Congressman MULVANEY could care less. He would close down the sources of family planning in small towns and communities around America.

The concerns I have laid out today are just a few that I have about this nomination. The millions of hardworking Americans who believed President Trump's campaign promises, and as a champion for the most vulnerable, deserve far better than Congressman MULVANEY.

There are real problems facing this Nation. Far too many people are struggling, and there is a lot of work to do. We cannot afford to risk our economic recovery, the retirement plans and savings of working Americans, the health of our children, the kind of care we want for our mothers and grandmothers—we cannot afford to risk them by appointing OMB Director MICK MULVANEY.

I have no choice but to oppose MICK MULVANEY's nomination for Director of the Office of Management and Budget.

Mr. President, MICK MULVANEY is a founder of the House Freedom Caucus, which has made repeal of the Affordable Care Act—without a replacement—one of their main causes. This is not about good policy or the real consequences for people around the country. This is about ideology.

Mr. MULVANEY wants to rip health insurance away from nearly 30 million people and deny people the important consumer protections they have come to depend upon. He would once again allow insurers to impose pre-existing condition exclusions and discriminate based on gender and cut off coverage when someone gets sick and needs it most.

His answer to fixing our health care system is ''free-market competition'' and ''crackdown on frivolous lawsuits. Those might make good talking points, but they will not stabilize our insurance market and help people in need.

The Illinois Hospital Association estimates that Republican plans to repeal the Affordable Care Act will result in the loss of up to 95,000 jobs in Illinois—in hospitals, doctor's offices, construction, real estate, and beyond.

Over the last month, I have been going around my State, meeting with hospitals and providers, talking to them about what repeal would mean. They are worried.

You see, Illinois hospitals and health systems generate nearly $90 billion in the State and local economies each year, and 1 in 10 jobs in Illinois is in

health care. Hospitals are vitally important to our State's economy and vitally important to patients in need.

Don't just take my word for it, Franklin Hospital CEO, Jim Johnson told me:

> In our community, at the time that the hospital in West Frankfort closed, we [Franklin Hospital in Benton] managed to stay open . . . they're just eaten up that they don't have a hospital anymore. It's incredible what the loss of a hospital can do to a small community. And I'm down there talking to those guys every day because naturally I like them to use our hospital . . . but those conversations, it has just torn this community apart.

In Illinois and nationwide, rural hospitals would be particularly hurt by Mr. MULVANEY and Republicans' prescription for chaos.

In Illinois, 62 of our 102 counties are rural. We have 51 Critical Access Hospitals, which are the hubs of their communities. Rural hospitals typically are more reliant on Medicaid and Medicare, and have tighter operating margins.

So what has the ACA meant for them? In States that expanded Medicaid, like Illinois, rural hospitals have seen greater financial stability thanks to the decrease in uncompensated care—or charity care—costs.

Thanks to the Affordable Care Act, the uninsured rate in rural communities has dropped by nearly 40 percent. This is not only great for those individuals obtaining insurance, it is also great for the rural hospitals who are now getting paid for the health services they provide.

Community Health & Emergency Services CEO Fred Bernstein told me:

> You can look at Cairo as the ghost of the future. Because there is not much left that we have to lose . . . We've lost the only grocery store, and the only drug store in Cairo. If this Affordable Care Act thing isn't resolved and if we go to block grant in the Medicaid program, there's not going to be any resolution to those problems down there. We are not going to be able to stay open. At least 72–74 percent of my patients depend upon Medicaid . . . Without the expansions of Medicaid that we've already seen, and without some of the subsidies that those who can get some insurance will get to keep that insurance, there's not going to be the ability to afford any care for most of the people we serve.

Since 2009, the number of rural hospitals in Illinois operating in the red has decreased by 46 percent. Put another way, 16 rural hospitals in Illinois are now on much more solid financial footing thanks to the ACA.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

TAX REFORM

Mr. COTTON. Mr. President, our Tax Code is a mess. No one voted for it, no one wants it, and no one likes it. I have said many times we should eliminate all of the special interest loopholes in the code and use that money to cut taxes for everyone, including American businesses. We want to encourage them to invest, grow, and create more jobs right here in America.

I know my colleagues are working on a tax bill, and I want to stress how much I support their efforts. I will, of course, withhold judgment on any proposal until I see the final text, but I also want to say today, I have reservations about one idea that is being considered. It is called a border adjustment tax. It sounds like something from Orwell's Newspeak.

Here is how it would work. We would cut taxes for corporations. To make up for the lost revenue, we would tax businesses whenever they bought something from another country. For instance, every time Ford bought an auto part from Canada, it would pay a 20-percent tax or every time your local grocery store bought bananas from Guatemala, it would pay a 20-percent tax. Whatever money businesses made from selling their products in other countries would be exempt. In other words, what all this would amount to is a 20-percent tax on imports. The proponents of this tax contend it would stop businesses from leaving our country because right now some are moving overseas to avoid paying our corporate tax rate, which is the highest in the modern industrial world. Under this proposal, it would not matter where you put your headquarters, you would be taxed according to what you bought, not where you put down your stake.

The hope is, this arrangement would mean more headquarters, more factories and the jobs that come with them staying right here in America, which of course is a desirable goal, no doubt, but I am not at all convinced this is the best way to do it. Consider this. It is estimated that this one change alone would produce something like $100 billion a year in additional tax revenue. That is a lot of money, and someone has to pay for it. I will tell you exactly who is going to pay: working Americans who have been struggling for decades. A tax on imports is a tax on things working folks buy every single day. I am not talking about caviar and champagne. I am talking about T-shirts, jeans, shoes, baby clothes, toys, and groceries.

I have heard from thousands of Arkansans who are already struggling just to get by. Why would we make the stuff they get at Walmart more expensive? Its defenders say the tax will not increase the cost of imports. What will happen, they say, is our exports will be cheaper because we no longer tax them so then more people overseas will buy our exports from us, which means the dollar itself will increase in value. That means imports will not be expensive because you will be able to buy them with a stronger dollar. So even with the tax added on, you will still come out right where you were before.

This logic reminds me of Orwell again: Some ideas are so stupid only an intellectual could believe them. This is a theory wrapped in speculation inside a guess. Nobody knows for sure what will happen. No one can know for sure because currency markets fluctuate daily based on millions of decisions and events. Just because an economist slaps an equation on a blackboard does not make it real so I am more than a little concerned these predictions will not pan out.

As the old joke goes, after all, economists have predicted nine of the last five recessions. But if that happens, it will not be economists and intellectuals and politicians in Washington and New York left holding the bag; working Americans will get stiffed again.

Finally, I want to say a word about jobs. One of the biggest reasons for fixing the Tax Code is that it would help create more jobs, but if we increase the cost of goods, people obviously can't buy as much, which will hurt retail sales and retail jobs too. Retail companies are the largest private sector employers in almost every State. Are we really going to impose a huge tax on the livelihood of so many Americans and say: Oh, don't worry. It will all work out in the end.

We have to take a hard look at this proposal right now. Therefore, while I support fundamental tax reform and commit to reserve judgment on any final bill until I read it, today I want to put on the record my serious concerns about a border adjustment tax. Many other Senators share those concerns. We most certainly will not keep our powder dry and see working American's railroaded with a precooked deal that raises their taxes and increases the price of the stuff they buy every single day.

It is February 15. By law, the President is required to submit a budget to Congress by the first Monday of this month. That was over a week ago. Now, being a new administration, we expect him to be a few weeks late as has typically happened in recent times. The difference this year, though, is that President Trump still does not have a budget director. We are 4 weeks into his Presidency, and we are only just now getting around to confirming his nominee.

For those of you keeping score at home, that is the longest delay in recent history. Every one of the last six Presidents had their budget director confirmed by a week's time—as in 7 days. In other words, what we are seeing is a deliberate act of obstruction. Here is the real problem. We have serious work to do. It is that much more difficult for the President to do his job when all he has is a headless horseman bureaucracy.

Senate Democrats might consider this payback. They might consider it their chance to audition for the 2020 Presidential primary, but the American people are the ones paying the price for this obstruction.

I want to say again, this is not a game. This is not a protest. This is our job. This is what the American people sent us to do. It is time we got down to business. In that spirit, I want to say a few words in support of the President's

nominee for the Director of the Office of Management and Budget, MICK MULVANEY. I don't have to cite or recite MICK's biography for many of you.

He has been representing the good people of South Carolina's Fifth District in the House of Representatives for more than 6 years now. Before that, he led an impressive career as what he called a serial entrepreneur, starting four different businesses. I hear some of them may have even succeeded.

He has worked in fields as varied as law, real estate, homebuilding, and restaurants. He is highly educated and very accomplished. I would like to point out, he is a friend of mine, a trusted confidant, someone whose advice and counsel I have often sought.

I can say with confidence, he will serve President Trump and the American people with dedication and distinction. I believe MICK will bring a needed voice to the President's Cabinet, a voice for fiscal responsibility after so many years of irresponsible sky-is-the-limit spending.

All that experience in the real economy gives him something more than a lengthy resume. He knows from personal experience what it takes to create jobs and create opportunities out of almost nothing. He knows the self-discipline it takes, the hard work, the perseverance. He knows what Americans have to go through every day just to earn an honest dollar. That is why he has been so protective of every taxpayer dollar ever put in his care. That is the kind of man we need as our next OMB Director.

It is only when Washington appreciates what goes into making all of those taxpayer dollars that it will show the taxpayers the respect they deserve. I want to express my strong support for the next Director of the Office of Management and Budget, my friend, MICK MULVANEY.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, unfortunately I don't share the enthusiasm of my colleague from Arkansas for MICK MULVANEY to serve as the Director of the Office of Management and Budget. In fact, I have great concerns about this nominee's views on a whole range of issues.

Because those views are far outside the mainstream of this country, I intend to vote against his confirmation. First and foremost, I am concerned about MICK MULVANEY's repeated votes against raising the debt ceiling and his reckless willingness to shut down the government in order to advance his extreme views.

It is Representative MULVANEY's longstanding position that failure to raise the debt ceiling would not precipitate a crisis. He said: ''I have yet to meet someone who can articulate the negative consequences.'' Well, let me articulate the consequences in very simple terms. If we refuse to raise the debt ceiling, we would default on the national debt, destroy the credit worthiness of the U.S. Government, and trigger a global financial crisis.

As the Governor of New Hampshire, I worked very hard with our State treasurer and with the legislature, through some very challenging fiscal times, to maintain New Hampshire's State bond rating. We did that because we knew that lowering the State's bond rating would mean an increase in costs for businesses trying to borrow money, for the government trying to borrow money, for taxpayers because they would have to pay those increased costs, and it would have a ripple effect across the economy that would have a real impact on the people of New Hampshire.

Representative MULVANEY does not seem to appreciate what would happen if the Federal Government defaulted on our debt. He has argued that the Treasury Secretary could avoid such a crisis by prioritizing interest payments; in other words, paying foreign holders of U.S. debt but not Social Security beneficiaries or the men and women of our Armed Forces, but there is no legal authority to do this. It is impractical, and recent Treasury Secretaries have denounced the idea. We got a foretaste of the consequences of default in 2011, when Representative MULVANEY and others blocked legislation to raise the debt ceiling, a crisis that took nearly 3 months to resolve.

That manufactured crisis shook financial markets, caused a spike in interest rates on U.S. securities, and it lead Standard and Poor's to take away America's AAA credit rating, and it cost $18.9 billion. Who does MICK MULVANEY think paid those $18.9 billion? It was the people of this country. Representative MULVANEY has repeatedly threatened to shut down the Federal Government.

He helped lead the charge in shutting down the government in October of 2013 in a failed and misguided attempt to repeal the Affordable Care Act. In 2015, he threatened to shut down the government again in order to defund Planned Parenthood. Both of those programs are critically important to the people of New Hampshire. Nearly 1 out of 10 Granite Staters have health insurance thanks to the Affordable Care Act. Planned Parenthood provides accessible, affordable healthcare to women all across the State of New Hampshire, women who, in most cases, could not get their healthcare any other way.

As Senator DURBIN pointed out earlier, 97 percent of the services provided by Planned Parenthood are services that have nothing to do with abortion; they have to do with access to mammograms, to cancer screenings, to STD testing, the whole range of healthcare services that women need.

Unfortunately, the 16-day shutdown in 2013 created havoc across the economy, leading to the loss of an estimated 120,000 jobs. Millions of small businesses faced significant disruptions, many employees were laid off, and some businesses could not make payroll. But Representative MULVANEY is unrepentant. He insists that the shutdown was worth it. Well, tell that to some of the businesses in New Hampshire that took a huge hit. His brand of government by temper tantrum is reckless, it is irresponsible, and it should not be rewarded with a nomination to be the chief budget officer for the country.

Representative MULVANEY's disdain for true fiscal conservatism and his unbalanced budget priorities should also give us pause. He supports budgets that would provide massive tax cuts for corporations, for those at the top, and he would pair those with deep budget cuts for the middle class and the most vulnerable people in our society, including seniors and people with disabilities.

Representative MULVANEY advocates for radical cuts to Social Security and to Medicare and Medicaid. He has promised to end Medicare as we know it, privatizing it and converting it to a voucher program that shifts costs to seniors.

He advocates raising the retirement age to 70 for Social Security and 67 for Medicare. Imagine telling construction workers and others who perform heavy labor that they have to work until age 70 before they can retire with the security of a Social Security check.

He also advocates shifting costs to States by block-granting Medicaid. Essentially what block grants do is give the money to States and allow them to administer those dollars. As a former Governor, I think States can administer those dollars, but when you want to cut as much as $1 trillion from healthcare services, which is what MICK MULVANEY wants to do, then you can administer them as well as possible, but you are still not going to be able to make up to the seniors and to disabled Americans and others in nursing homes for the cuts that are going to come when you block-grant those dollars to States.

Unfortunately, that is not the end of his extreme budget ideas. He advocates taking a meat-ax to the whole range of programs that bolster the middle class, everything from cancer research, to Pell grants, to healthcare.

Representative MULVANEY has even questioned the appropriateness of Federal funding for scientific research. In a Facebook post questioning the scientific consensus linking the Zika virus to microcephaly, he wrote: ''What might be the best question: Do we really need government funded research at all?'' Think about that.

Senator DURBIN was very eloquent in talking about the difference that research has made in ending polio and addressing so many other diseases, such as HIV, that have affected Americans and people across the world. Well, the President's choice—MICK MULVANEY—to draft his annual budget, to be the head of his budget office, openly doubts that the government should be involved in addressing public

health threats, such as Zika. So how deeply does he plan to cut funding for the Centers for Disease Control, for the National Institutes of Health, for our National Laboratories, and for federally funded extramural research? We don't know the answer to that, but we can assume from his statements that it is going to be significant.

Federally funded R&D is critical not only to addressing threats to public health but also to developing new technologies that enhance our national security and protect the environment. These technologies are essential to growing our economy and maintaining America's global leadership in technology and biomedical sciences.

In New Hampshire, the most dynamic sector of our economy is high-tech manufacturing and innovation. For our economy to grow, we need to stay ahead of global competition. But that doesn't happen on its own; it requires sustained investment in basic research—often research that the private sector considers too risky to do on its own.

As ranking member of the Senate Small Business Committee, I have seen this vividly demonstrated by the very successful Small Business Innovation Research Program, or SBIR. SBIR works by harnessing the creativity and ingenuity of America's small businesses to meet the R&D missions of our Federal agencies, while also supporting the growth of small, high-tech companies that create good jobs in local communities across this country.

One recent study found that every dollar awarded by the Air Force to SBIR firms generated $12 in economic growth. That growth happens because small businesses develop technologies and then commercialize those technologies, creating good jobs in each of our States.

Many of these technologies are developed for our Armed Forces to better protect the homeland. A great example of that, which I have seen firsthand, is a company based in Hanover, NH, called Creare. Creare is working with the Navy to develop an innovative clothes dryer that dramatically reduces the risk of fires on submarines, and that is just one example of why the SBIR Program is the envy of the world.

I want to quote Dr. Charles Wessner, who led the National Academy of Sciences study of the SBIR Program. In describing that program, he said: ''The rest of the world thinks this is the greatest thing since sliced bread.''

Well, make no mistake, this successful program is in serious jeopardy if Representative MULVANEY puts Federal R&D investments on the chopping block.

It is truly shocking that the President has nominated a budget director who questions the value of Federal funding for R&D. We need to invest in science. We need to invest in our small businesses, which create two out of every three jobs in this economy.

The OMB Director is one of the most senior economic advisers to the President of the United States, with enormous influence on policy matters.

Representative MULVANEY has been a zealous advocate for radical cuts to Social Security, to Medicaid, to the whole range of programs that support the middle class in this country. In addition, his willful failure to pay required Federal taxes has raised serious concerns about his integrity, which we all know is essential for every Cabinet officer.

After careful study of his record, I urge my colleagues on both sides of the aisle to come together to reject this nominee. Putting MICK MULVANEY in charge of OMB is not just letting the fox guard the hen house; it is giving him a gun to kill the chickens, a pot to boil those chickens in, and a knife to eviscerate them when they are done.

Let's give President Trump the opportunity to put forward a qualified candidate with mainstream views to protect the middle class and to honor this Nation's financial obligations.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise today to support the nomination of Congressman MICK MULVANEY and ask my colleagues to vote to confirm him as the next Director of the Office of Management and Budget.

It may not surprise folks that I have a markedly different viewpoint than the Senator from New Hampshire. Congressman MULVANEY wants to save Social Security and Medicare. Congressman MULVANEY wants to prevent, stop the mortgaging of our children's future, the bankrupting of America.

One thing on which I do agree with the good Senator from New Hampshire is that we need to concentrate on economic growth. It is the primary component of the solution. But this Nation faces many, many challenges. From the standpoint of foreign policy, take a look at what is happening around the world, the turmoil in so much of the world. We are in a generational struggle against Islamic terror, against ISIS, al-Qaida. Iran—that nuclear agreement was horrible. It modified the behavior for the worse. We have just witnessed North Korea test-fire another missile. Combined with their nuclear capability at some point in time—probably not in the too distant future—they will threaten America. China has been emboldened. Russia has become more aggressive. Why? Because in so many instances, these nations perceive America as weaker than we once were, lacking the strength and resolve to provide the leadership, project our values around the world.

With all these threats that America faces, at the same time our military is being hollowed out. We won't have the resources militarily to fight back if they strike first.

Domestically, we also face many perils, many challenges. ObamaCare didn't work. The Patient Protection and Affordable Care Act did not protect the patients. It is not affordable. In my State, Wisconsin, premiums on the individual market have doubled and tripled. A young mother working a part-time job so she could stay home with her children had to quit that job to take full-time work to pay her $8,000 per year increase in premiums. Wages have stagnated for years. Our infrastructure is old and in many cases, crumbling. Our borders are porous. We are not winning the War on Drugs because of porous borders in many respects. Unfortunately, the War on Poverty has also not been won. In many cases, it has created perverse incentives that have trapped generations in a cycle of poverty and dependency and despair. It has resulted in the national debt rapidly approaching $20 trillion. Again, that is that mortgaging our children's future that Congressman MULVANEY wants to prevent.

As the chart nearby shows, we are on a completely unsustainable path that Congressman MULVANEY also understands must be stopped. If you take a look at this chart, according to the Congressional Budget Office, over the next 30 years, our projected deficit will total $103 trillion. That would be put on top of that $20 trillion in debt. It will be $10 trillion over the next 10 years, $28 trillion in the second decade, $66 trillion in the third decade. That is completely unsustainable.

By the way, the components of that $103 trillion deficit—$14 trillion in Social Security. In other words, Social Security will pay out $14 trillion more in benefits than it takes in from the payroll tax over the next 30 years; Medicare, $34 trillion. The remainder of that $103 trillion is interest on the debt. If we want to avoid paying creditors more than $50 trillion in interest on our debt over the next 30 years, we need to address Social Security and Medicare. Congressman MULVANEY wants to do that. He wants to save Social Security and Medicare—not demagogue it; save it.

As the Senator from New Hampshire was pointing out, we need economic growth. That is the No. 1 component of the solution. I don't care what problem I just mentioned above, economic growth is the primary component of the solution.

What is hampering our economy from growing? The fact is, since the Great Depression, our economy has averaged 3.2 percent annual real growth. Since the great recession, we have only been growing about 2 percent. I would argue that there are a number factors causing that tepid growth: overregulation, an uncompetitive tax system. We are not fully utilizing our energy resources. The Presiding Officer certainly understands that from his State. We are not utilizing our abundant energy resources. And of course there is this: our unsustained fiscal path, our $20 trillion in debt.

I oftentimes make the analogy between our national debt and a family in debt over their head. It is just a nation-state; it is just many, many, many

orders of magnitude larger. But the fact is, if you are a family in debt over your head, how can you grow your personal economy? All your disposable income is spent on the basics and servicing the debt. The same thing is true of a nation-state. Again, our enemies perceive that weakness caused by our indebtedness.

So when you take a look at the role of the Director of the Office of Management and Budget, what we need to do to grow our economy comes under his jurisdiction basically. He has to address this deficit. He has to put forward a budget that is sustainable. MICK MULVANEY is dedicated to doing that.

Then, of course, the other thing the Office of Management and Budget is really designed to combat is overregulation. They are all about taking a look at cost-benefit and making sure the regulations that are implemented by this Federal Government are reasonable from a cost-benefit relationship. That has not been the case recently.

Just a couple of examples of how economic growth really is going to help solve this problem. If you go from 2 to 3 percent annual growth, that is $14 trillion in added economic benefit in just over a decade. If you go from 2 to 4 percent, that is $29 trillion. And even with the meager economic growth we have had since 2009, revenue to the Federal Government has increased by more than $1.1 trillion per year with meager economic growth. Just think of what would happen if we could reduce the regulatory burden, have a competitive tax system, and put our Federal Government on a sustainable fiscal path. Revenue would be flowing to the Federal Government, we could stop hollowing out our military, and we could start addressing these threats.

As to the regulatory burden, when we held hearings on this in my committee, the numbers showed that regulatory burden at $2 trillion per year. Just put that into perspective because I know we are getting immune to these massive numbers: $2 trillion is larger than all but 10 economies in the entire world. That is a self-imposed, self-inflicted wound on our economy. If you take that $2 trillion and divide it by the number of households in America, it is $14,800 per household. No American writes a check to the Federal Government to pay their share of the regulatory burden; instead, they realize that burden in reduced opportunities.

Why are wages stagnated? That is a good part of it—increased prices, and of course, again, those lower wages. It is a massive problem. One Wisconsin paper manufacturer I was talking to—and by the way, I can't tell you who because he fears retaliation by the government, which is a different subject—did a cost calculation of just four recently issued regulations and came up with a total cost of $12,000 per year per employee. There you go. That is money that could have been available for increasing wages or for investing in business to create better opportunities and better paying jobs. The regulatory burden is massive.

I had the chancellor of the University of Wisconsin-Madison come into my office during the last 2 years with the primary complaint—the primary ask—being to reduce that regulatory burden. Last year, she came in armed with a study commissioned by research universities that said that 42 percent of researcher time on Federal grants was spent complying with Federal regulations. Think of the opportunity cost of that overregulation. Those Federal grants are meant to pay for studies and doing research on curing diseases, not filling out Federal paperwork. So again, the Director of the Office of Management and Budget will take a look at those regulations, particularly now under this President, who has issued an Executive order to make sure that for every one regulation issued by a new agency, they have to remove two. That is a very good start. I would have gone with one-in, ten-out, but I will settle for one-in, two-out. I will certainly be supportive of an Office of Management and Budget that understands the incredible burden of overregulation on our economy.

During our committee markup—I heard earlier the Senator from Arkansas, who knows Congressman MULVANEY, served with him in the House, and understands how dedicated and serious Congressman MULVANEY is to stopping this mortgage of our children's future. Senator LANKFORD also had the opportunity to serve 4 years in the House with Representative MULVANEY. This is what Senator LANKFORD had to say about his friend and colleague at the nomination hearing:

> You were a serious student. You looked hard at difficult issues. You understood that there were difficult decisions that needed to be made and made proposals to do that.

In testimony before our committee, Congressman MULVANEY told my committee:

> When President-elect Trump announced my nomination, he noted that our nation was nearly $20 trillion in debt and stated that I have the skills and convictions to responsibly manage our nation's finances. I believe that is why he nominated me for this position.

He went on to state:

> For the first time in America's history, the next generation could be less prosperous than the generation that preceded it.

That is a very sad possibility. We need to prevent that.

He went on to say:

> To me and to the people in this room, that is simply unacceptable. We CAN turn this economy, and this country around . . . but it will take tough decisions today in order to avoid impossible ones tomorrow.

Congressman MULVANEY went on:

> I believe, as a matter of principle, that the debt is a problem that must be addressed sooner, rather than later. I also know that fundamental changes are needed in the way Washington spends and taxes if we truly want a healthy economy.

Again, he fully understands the connection between our unsustainable fiscal path, our deficit, our debt, and economic growth. He said we ''must include changing our government's long-term fiscal path—which is unsustainable.''

Finally, he said:

> I recognize that good public service—whether in a state legislature, Congress, or OMB—takes both courage and wisdom. The courage to lead, and the wisdom to listen. I have learned that I do not have a monopoly on good ideas. Facts—and the cogent arguments of others—matter. I will be loyal to the facts and to the American people whom I serve.
>
> My commitment to you today is to take a fact-based approach to get our financial house in order.

This is exactly the type of person—Congressman MICK MULVANEY—somebody who is dedicated to solving these problems, who has the courage and the wisdom to stop mortgaging our children's future, to put America's budget on a sustainable fiscal path, to grow our economy, to make sure that future generations inherit a stronger, more prosperous America.

I am proud to support and I urge all my colleagues to support and vote for the confirmation of Congressman MICK MULVANEY to be the next Director of the Office of Management and Budget.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Thank you, Mr. President. I rise this evening to speak on the nomination of Congressman MICK MULVANEY to be the Director of the Office of Management and Budget. I am going to start by talking in a minute about some of the critical roles that the Office of Management and Budget plays.

Before I do that, I want to go back for a moment to some of the comments of my friend who just preceded me on the floor. Going back 8 years ago, I remember that in the last 6 months of 2008, we lost 2.5 million jobs in this country—2.5 million jobs in 6 months. In the first 6 months of 2009, we lost 2.5 million more new jobs. That is 5 million jobs in 12 months.

Since the beginning of 2010, we have added 16 million jobs in this country. The unemployment rate in this country jumped as high as 10 percent by the end of 2009, and by the beginning of this year the unemployment rate was cut in half. During the first fiscal year of this last administration, the Obama-Biden administration, the deficit, the budget they inherited for that fiscal year ballooned to $1.4 trillion. I am an old State treasurer, Congressman, Governor, and now Senator. That's a lot of money. We have had in terms of GDP probably higher deficits than that during World War II, but that is a lot of money.

During the last administration, the debt, deficit as we knew it, dropped by about two-thirds, maybe a little more than two-thirds. Do we have a balanced budget coming into this year? No. Is it better than $1.4 trillion? It sure is.

The unemployment rate was cut by half, the annual deficit has been cut by two-thirds, and instead of losing 5 million jobs as we did in 2008 and 2009, we added 16 million jobs. Could we do better than that? We have. Have we ever had a longer running economic expansion in the history of our country than the last 7 years? I am told we have not. Can we do better? Yes.

Hopefully, in our spending plans and in the regulatory work that we do, we will adopt policies that provide the kind of environment that leads to job creation and job preservation. That is what we do. We don't create jobs here. As my friend who is presiding knows, we help create a nurturing environment for job creation. One of the things we need for that is commonsense regulation.

If you look at the role of the OMB Director, one of those listed on this chart, No. 2, is regulatory process. The regulatory process is the way regulations are created in this Congress, and as the Presiding Officer and others know, it is dictated by legislation called the Administrative Procedure Act.

If the Presiding Officer were an agency that was considering promulgating a rule or regulation, the agency would basically say to the rest of the world: We are thinking of promulgating a regulation on subject x. It is really a heads-up that they are thinking about doing this. It doesn't mean they are going to, but they are thinking about it, so those who might be affected by that regulation, regulation x, would have a chance to say: Hmm, something might be coming our way, and we have an interest in it—or we don't. This gives them a chance to go to the agency and say: We hear you are interested in promulgating a regulation on this particular subject. Let's talk about it. That is why the agency gives a heads-up, so that those who might be affected by it have the opportunity to talk to the agency, come to their elected officials, and share their opinions.

The agency can accept the comments they get or reject them. The Members of Congress can accept or reject them. We can actually arrange for our constituents who might have an interest in a proposed or possible regulation to arrange for meetings to make sure the agency that is thinking about promulgating a new rule or different rule or regulation has an opportunity to meet with those who would be affected positively or negatively.

The agency, armed with that information—the input they receive from filing a notice of rulemaking—if they decide to go forward, they will eventually propose a draft rule. This is not a final rule or regulation, but a draft. They promulgate that draft regulation under the Administrative Procedure Act, and those who are interested in or affected positively or negatively by the draft regulation again have the opportunity to go back and talk to the folks who promulgated that rule or regulation, stating what it is they like or don't like, proposing changes. They look us up—the Representatives, Senators—and say: Here are our concerns. We think this should be strengthened or weakened or taken out or added.

There is a period of time—a comment period—for the draft regulations. Sometimes those who can be affected by the regulations will come to us and say: We don't think we have enough time to fully understand what the effects of this draft regulation would be, and we would like to have more time to comment. Then what we do as elected officials is reach out to the agency and say: We don't have enough time. We are hearing from too many of our constituents that there is not enough time. How about another week or month or some reasonable period of time? Sometimes we get what we ask for, and sometimes we don't. Sometimes we get half of what we ask for, but that is the way it works.

At the end of the day, the agency may decide that they have enough of a bad response—bad vibrations from those who would be affected, as opposed to picking up good vibrations—and the agency may pull the reg entirely and say: We will do this another time but not now. But they might go ahead and change the drafting to prepare to offer the final regulation.

When the agency is ready to report out the drafted regulation, that is not the end of it because that is where OMB comes into play. There is an agency within OMB called OIRA, which refers to an oversight role that the OMB plays. Essentially, as we used to say in the Navy, if a message or something were sent from one level of command to another to another, we actually say we ''chopped'' it through different levels of command. My colleague who has better experience in the military, as I recall, may have had a similar kind of experience. But the draft regulation that is promulgated has to be chopped through OMB. It has to be chopped through OMB. They have the final say, and they can kick it back to the agency or not.

Changes may or may not be made, but eventually the final reg is published in the Federal Register. There is a period of time that runs, and eventually if folks really don't like it enough they can basically file a suit and go to court to try to block the regulation. We see that happen from time to time. Faced with a suit, the agency might want to pull it back and make some further modifications. We can join in those amicus briefs or not. If all else fails, Harry Reid, who used to be the majority leader, a Democrat, wrote a law a number of years ago, the Congressional Review Act, which allows the Congress, years from now, to take another look and see if it is something—it is not that old, it had regs come out in the last couple of months—and ask: Is this a good idea or not? And if the majority of the House and Senate, with the consent of the President, say: No, we don't think this regulation is a good idea, it can basically be taken off the field and put on the shelf.

That is the way the process works. Some people don't think that is a very good process. I think it is pretty good. I hope that if MICK MULVANEY is confirmed to this job, this regulatory process is one that will be put to good use.

One of the things Cass Sunstein did, at the direction of President Obama, was begin a look-back policy, saying we are going to look not just forward for new regulations, we are going to look back at the old ones we have and see which ones have maybe outlived their utilization and should be eliminated or modified. I have stopped counting how much money has been saved during the look-back process over the last several years, but it is in the billions of dollars—maybe even in the tens of billions of dollars by now. I hope the next OMB Director will continue it.

We have been joined here by my colleague from Michigan. I would just ask him if he is pressed for time. I will go maybe about another 10 minutes, and then it is all yours.

Another big job of the OMB Director, not surprisingly, is to help the President prepare in submitting a budget. I want to take just a minute and maybe use another chart to talk about how we spend our money. As my colleagues know, the spending is a pie chart kind of like this, and it is divided into maybe four major areas. One of those is—some people call it mandatory spending. I call it entitlement spending: Medicare, Medicaid, Social Security, maybe veterans' benefits. It is spending the people are entitled to by virtue of being a certain age, being disabled, maybe having served in our Nation's military, maybe being disabled in the course of military service, maybe they earned a GI bill. Those are the kinds of things that are being considered as entitlements or mandatory spending. As a percentage of the budget, if we look at the green colors here, it adds up to a little more than half the budget.

Another maybe 5 to 10 percent of the budget is this sort of beige color or gray—this area right here. It is about 5 to 10 percent of the budget. It is debt service, principal interest on our Nation's debt. Fortunately, our interest rates are low. If they ever go up, ''Katy, bar the door.'' Then the principal on the debt service will go up a whole lot. We have been blessed with low interest rates. It will not be that way forever.

So entitlement spending, a little over 50 percent; debt service, principal interest on the debt, 5, 10 percent.

The rest is called discretionary spending. It is defense spending so it is about 40 percent discretionary spending. That is the spending that is done by our Appropriations Committee, about a dozen Appropriations subcommittees, including Agriculture,

Armed Services, Housing, Transportation, you name it.

Over half of the amount of spending that is called discretionary spending, right here in the blue, more than half of that is defense spending and less than half of that is called nondefense discretionary spending.

As it turns out, we could eliminate, I am told, every bit of our nondefense discretionary spending, and we would still have a budget deficit. That would be everything from agriculture to the environment, to transportation, law enforcement, prisons, you name it; the whole kit and caboodle, everything other than defense. I don't think we want to get rid of all that. We might want to find more efficient ways to spend that money. God knows we can find more efficient ways in spending defense money.

One of the ways we can do that is to take a page from something that happened today in the Committee on Homeland Security and Governmental Affairs, and with our governmental affairs hat on, we had the leader of the Government Accountability Office with us. We also had a couple of inspectors general, and we had the head of the Census Bureau. They came to talk with us and present to us something called the GAO—Government Accountability Office—high-risk list. What is a high-risk list? It is a list of programs that are in danger of wasting a lot of money. It could include roughly $400 billion a year in revenues that we are leaving on the table; owed but not collecting. It could be $300 billion a year in major weapons systems cost overruns. It could be $110 billion, $115 billion a year on something called improper payments, moneys that are paid wrongly, mistakenly—not fraud but just mistaken payments—and it can include a lot of other things. It could be properties that the Federal Government needs to get rid of, and we have done good work on that. Senator PORTMAN and I worked on that, as did Senator Coburn when he was here, and we worked a lot on property reforms. With the help of Senator JOHNSON last Congress, I think we made pretty good progress.

There are a lot of ways we waste money. What we do in the Committee on Homeland Security and Governmental Affairs, with our governmental affairs hat on, is we use the GAO high-risk list as a to-do list to be able to save money. If you have GAO, in concert with the Office of Management and Budget, working together with the inspectors general in every major Federal agency, working with the oversight committees in the Senate, Homeland Security and Governmental Affairs, and with our counterpart oversight committee in the House—if we all are working together, going in the same direction, we can actually figure out how to save a lot of money in defense spending and nondefense. With all the overpayments that occur in Medicare and Medicaid—it is almost $100 billion just between those two—we could actually make some real progress. Our budget deficit is still too large.

Not that many years ago, when Bill Clinton was President, the last 4 years of that administration, we had 4 years of balanced budgets. We had not had a balanced budget since 1968. Over the last 4 years of the Clinton administration, we had four balanced budgets in a row.

How did we do it? One, we had a good economy, as you all recall. There were more jobs created in those 8 years than any 8 years in the history of the country. I was Governor then, and there were more jobs created in those 8 years in Delaware than any year in the history of our State. I like to say I didn't create one of them, but we tried to create a nurturing environment for job creation and job preservation. One of those ways—one of the elements that is important—is certainty and predictability.

It has been mentioned earlier today that the concern that a number of people have with Congressman MULVANEY as OMB Director is he allegedly has said government shutdowns are not that concerning. I don't know his exact words. One of the things we were reminded of today by GAO is, businesses need predictability, they need certainty, but the other thing they need—what the Federal Government needs and its employees need are some predictability and certainty as well. Stop-and-go government is painful to businesses, but it is especially painful and wasteful for the Federal Government. Continuing resolutions, government shutdowns—our Federal employees spend a lot of time just preparing for shutdowns. That is wasteful, it is demoralizing, and we can't do that.

I think that is—I will stop there. I see the majority leader is here, and I want to be respectful to him. There are other concerns I have that I will submit, but I hope my colleagues will keep these thoughts and these concerns in mind when we consider the nomination of Mr. MULVANEY to head up OMB.

I would say to my friend the majority leader, I appreciate the time we had together in your office earlier this week. I would just ask him to consider one more time, if we had the opportunity for a judge in Oklahoma to make a decision tomorrow on the access to the emails we discussed, I think we could all vote with a clear conscience a week from Monday on the nomination of the Administrator for the EPA. I would encourage the majority leader to do that.

Thank you very much.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I thank my friend from Delaware for his suggestion and giving me a moment here—I am not sure whether he is finished—but to just ask unanimous consent on a matter.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that following leader remarks on Thursday, February 16, there be 10 minutes of debate, equally divided, prior to the confirmation vote on Executive Calendar No. 16, MICK MULVANEY to be Director of the Office of Management and Budget, followed by up to 10 minutes of debate, equally divided, prior to the cloture vote on Executive Calendar No. 15, the nomination of Scott Pruitt to be Administrator of the Environmental Protection Agency, and if cloture is invoked, time be counted as if invoked at 7 a.m. that day.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. So for the information of all Senators, under the regular order, the Senate is scheduled to vote on the Pruitt nomination on Friday afternoon. All Members should plan to stay here Friday to complete consideration of the Pruitt nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise in opposition to the nomination of Representative MULVANEY to be the Director of the Office of Management and Budget because I have deep concerns about his record.

I believe his far-right views are out of the mainstream and wrong for our Nation and wrong for the people of Michigan.

In part, my vote against his nomination is due to his long-held public belief that we should balance the Federal budget on the backs of seniors and retirees who have worked their entire lives. Representative MULVANEY's policies would mean raising the retirement age, making deep cuts in Medicare, and driving up costs for seniors who already struggle to afford the care they need. These are policy proposals that Mr. MULVANEY would bring to the highest levels of government, if confirmed, and I fundamentally disagree with his approach to budget policy.

While I disagreed with a number of Representative MULVANEY's positions when we served together in the U.S. House of Representatives, I entered his confirmation hearing with an open mind. I thought that in preparing for a role with broad jurisdiction over the Federal Government, he might have developed more nuanced views on some of these difficult issues. However, after speaking with Representative MULVANEY during our recent hearing and reviewing his responses to my colleagues, it is clear he will bring the same extreme views to the administration that he brought to the Congress.

On Social Security, which is absolutely critical to seniors and families across the State of Michigan, Representative MULVANEY has repeatedly called for congressional action to raise the retirement age and reduce benefits. He has publicly called Social Security

a ''Ponzi scheme.'' When I asked Representative MULVANEY about his views during this hearing, he confirmed to me that raising the retirement age is a central piece of what he calls Social Security reform.

I could not disagree more. Michigan workers have worked their entire lives and have contributed out of their paycheck to the Social Security trust fund. I simply cannot vote for someone who takes pride in telling these Michiganders—construction workers, nurses, autoworkers—that they need to spend another 5 years on their feet after a lifetime of hard work.

Social Security is not a Ponzi scheme, and labeling it as such shows callous indifference to Michigan families. Social Security is one of the most successful programs in our Nation's history. Confirming Congressman MULVANEY to lead the Office of Management and Budget is a direct threat to the financial security of millions of seniors and retirees.

If you believe Mr. MULVANEY's proposals on Social Security are wrongheaded, just wait until you hear his views on Medicare. He has vowed to ''end Medicare as we know it.'' He has said the plans of House Speaker PAUL RYAN, which called for drastic cuts to Medicare, didn't go far enough.

During the first term of President Reagan, a saying entered into the public discourse as the newly elected President was staffing up his administration: ''Personnel is policy.''

While President Trump said on the campaign trail that he opposes changes to Social Security and Medicare, personnel is policy. While the title of the job, ''Director of the Office of Management and Budget,'' might conjure up images of a bureaucratic backwater for many Americans, make no mistake, we are currently debating who will hold one of the most powerful positions in this new administration—and personnel is policy.

Let's be clear. Congressman MULVANEY's nomination presents a direct threat to Medicare and to Social Security. While his positions on these critical programs are enough to warrant my ''no'' vote, let's examine how we might address other aspects of the Federal budget.

We don't need to work at the Office of Management and Budget or be an accountant to know that President Trump's budget priorities simply do not add up. The Federal debt and deficit are serious issues, but we haven't seen one serious proposal from this administration on how we reach fiscal sustainability. It is the job of the OMB Director to help bring some sense to these proposals.

What are the proposals? They include $10 trillion in tax cuts; $40 billion on a border wall—with some kind of IOU from Mexico; drastically increasing defense spending; $1 trillion on infrastructure; and a campaign promise to never, ever touch Social Security and Medicare.

It simply doesn't add up. Either President Trump is planning to grow our debt and deficit to dangerous levels or he is going to ask his advisers which of his many campaign promises he should break. Given Representative MULVANEY's belief that deficits can be solved by cutting benefits for seniors and slashing investments in basic science and research, he is not the person I want in the position of OMB Director.

This role is also not just about expenditures and revenue. As a senior member of the President's economic team, you need a steady hand to help lead the government of the world's largest economy. Given the disarray that we are now seeing in the White House, I am convinced now more than ever that Representative MULVANEY is not that steady hand to help lead fiscal policy in this Nation.

In 2013, Representative MULVANEY supported and helped lead the effort for a government shutdown. Let me repeat: He helped lead the effort to shut down the U.S. Government. More specifically, he helped lead the effort to shut down the government because the Senate would not agree to defund Planned Parenthood.

In his confirmation hearing, he had a chance to explain this position. Our ranking member, Senator MCCASKILL, asked him flat out: Do you still believe that the 2013 government shutdown was good policy?

His response: Yes, ma'am. It was polite, but wrong. Polite isn't enough. We simply cannot have these views in the highest levels of government.

This spring, on April 28, funding for the Federal government expires. Critical programs, from childcare to scientific research, will halt unless there is an agreement in place. It is hard to have confidence that this administration will come to a reasonable agreement when their nominee for the highest budget position believes it is ''good policy'' to shut down the Federal Government.

This will not be the first, or last, potential budgetary crisis the OMB Director could face. Sometime this summer, the U.S. Congress will need to address the debt ceiling in order to meet our previously agreed-to financial obligations. If we do not come to an agreement, the effects on the global economy will be devastating. We risk permanently downgrading our credit rating and setting off a worldwide financial crisis.

Representative MULVANEY on many occasions has doubted the need to raise the debt ceiling. He has doubted that the U.S. Government should meet our financial obligations. This makes me doubt his very basic qualifications to serve as the Director of OMB.

This is far beyond partisan politics. This is the fiscal health of our Nation that will be at stake—truly, the full faith and credit of the U.S. Government. If Congressman MULVANEY, as the highest ranking budget official in the Nation, is not going to advocate on behalf of this commitment, who will?

I am also worried that Congressman MULVANEY simply lacks the ability to see how fiscal and financial decisions impact working people. He looks past them and doesn't give them a second thought. During his confirmation hearing, I offered Mr. MULVANEY the chance to explain why he did not pay payroll taxes for the nanny who took care of his children. To be frank, I was shocked by his response. To him, there was a ''differentiation,'' in his mind, between the employee who was spending 40 hours a week helping to raise his triplets and the employees who spent 40 hours a week in his law firm. To him, the white collar workers in his law firm were employees, and his nanny was not. I am shocked that Mr. MULVANEY did not realize that childcare is work, and it is some of the hardest, most important work there is. Whether a nanny, babysitter, or childcare provider, this employee mattered, and he looked past her and didn't give her a second thought—until he was nominated to be Director of the Office of Management and Budget.

I don't believe my colleagues should give him the opportunity to advance his extreme positions on Medicare and Social Security and look past hardworking Michiganders. I will oppose Representative MULVANEY's nomination, and I urge my colleagues to join me.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

THE ECONOMY

Mr. PERDUE. Mr. President, I rise tonight to speak about the opportunity our country has to move this country forward.

I appreciate the comments by my good friend from Michigan. I appreciate all the comments in this hallowed ground called the U.S. Senate. But I have to say that while I agree on some points, I disagree on others.

The one I am really troubled by tonight is the fact the other side is creating the ultimate shutdown in government right now. We had an election. Our democracy has worked. We have a new person in the White House. We have a new direction for our country. Yet this person in the White House cannot even get his team approved in the U.S. Senate.

After some 27 days, I think President Obama had 26 of his Cabinet and other appointees already confirmed. At this point, President Trump has only 13 of his nominees. Quite frankly, had we not turned the Senate on 24/7 over the last few weeks, it would be until June or July of this year before we could get the full slate of just the 15 Cabinet officers confirmed. That is no way to run the Federal Government and, indeed, shows the hypocrisy of the other side. They complain about shut down this and shut down that. What is happening right now in the U.S. Senate is that the

other side is shutting down this administration from getting on with the people's business of what they elected him to do.

Today, after 8 years of failed fiscal policies that have produced the weakest recovery in 70 years, the lowest GDP growth on a per capita basis in our history, a devastating time that left 4 million women in poverty after the last 8 years and left many people struggling to get from payday to payday—after those 8 years, tonight I am actually very encouraged to finally be debating pro-growth tax ideas that can actually grow the economy and put people back to work. We now have an enormous moment of opportunity to change the direction of our country and unleash a new era of economic growth and prosperity for every American.

President Trump has repeatedly said that job one is growing the economy. Personally, having worked in most parts of the world in my career, I see this so differently from Washington. My perspective is that of someone who has a global business perspective, not unlike that of our President. I know the way forward is not complicated. We absolutely can grow this economy.

There are three things this administration is already talking about to grow the economy: One, they have said we need to deal with this archaic, outdated, and noncompetitive tax structure that we have; second, we need to push back on these arcane regulations that have sucked the very life out of our economy; third, we need to unleash the God-given energy potential that we have in our country today. The bottom line is we have to create a more level playing field generated by trade negotiations to allow us to compete on a level playing field with the rest of the world.

The first two pieces of these changes are the changes to the Tax Code and rolling back the regulatory regime. Several ideas from both President Trump and Congress have surfaced in recent days to improve our Tax Code: No. 1, lowering individual rates and cleaning up some of the deductions to simplify the individual code; No. 2, lowering the corporate tax rate to become more competitive with the rest of the world and cleaning up corporate welfare deductions that confuse the competition among players here at home and create winners and losers inadvertently; and, No. 3, dealing with the archaic repatriation tax. We are the last country in the world that has this tax, and it penalizes our companies for competing abroad.

These three components of changing the Tax Code will make us more competitive with the rest of the world, stimulate economic investment, and spawn a new era of economic innovation in America. These changes would help millions of Americans who have been crushed by this stagnant economy for much too long.

I am encouraged that today there are so many of my colleagues in Congress interested in generating new pro-growth ideas. It is a new day in Washington.

I have long been an advocate of simplifying the way we fund our Federal Government. In my opinion, the best way to do that is ideally with a new system, like the fair tax, for example, which would move us to a totally new tax system and completely eliminate the personal, corporate, and payroll taxes we suffer through to date. I think all of these ideas need to be considered, and none should be taken off the table arbitrarily.

Having said that, one idea bears much scrutiny at this point in time, and that is the so-called border adjustment tax now being discussed in Congress. It would hammer consumers, shut down economic growth, and ultimately grow the size of government.

In the last 16 years, under both Republican and Democratic Presidents, the Federal Government has grown from $2.4 trillion in constant dollars to $3.8 trillion last year—some 60 percent growth in just two Presidencies, one Republican and one Democrat.

Tax schemes similar to the border adjustment tax in Europe grew the size of those governments in Europe by more than 60 percent. That is the last thing we need to be talking about right now, after we just experienced a similar type of growth in our government over the last 16 years. Growing government with a new layer of complexity on top of our existing income tax system is the last thing we need to be doing at this point in time, when we should be talking about, How do we downsize the Federal Government, make our system more competitive with the rest of the world, create jobs, and create the atmosphere for capital formation and innovation again?

Historically, lawmakers have crammed numerous proposals into single, massive, overreaching bills. It is the Washington way. Those bills have often hurt the very people that they claim to champion. When bad ideas get mixed with good ideas, the bad ideas oftentimes become law. That is exactly what could happen here if changes to the individual code, the corporate rate, the repatriation tax, and this border adjustment tax are combined into one sweeping bill. This is exactly what Washington has historically done, and the results have been devastating.

Each of these proposals could be considered independently and evaluated on their own merits. There is no reason we can't do that. That is not possible today because many people here believe we are locked into the Washington scoring equation instead of looking at the real economic long term value of any of these ideas.

Many other countries, such as the United Kingdom, have faced these opportunities, made decisions, and acted accordingly without combining other extraneous ideas, and the results speak for themselves. Today, the United States is in the least competitive position it has been, I believe, in the last 100 years.

In the last 70 years, America has enjoyed the greatest economic miracle in the history of mankind. It was developed on the back of innovation, capital formation, and the rule of law, combined with the best workforce in the history of the world. Those are four things that America possesses uniquely, and which many other countries are working hard to emulate.

For too long, the strength of our economy has been held down by politicians in Washington and the unintended consequences that occur when they try to interfere with the free enterprise system. It is time to trust that free enterprise system to get this economy going again, and change the rules to create a more competitive environment here at home that will allow us to compete overseas on a level playing field. It is time to simplify our individual Tax Code, reduce our corporate tax rates, eliminate conflicting business tax deductions, and eliminate the repatriation tax so we can once again become competitive with the rest of the world.

In recent decades, many other countries have made these changes, and we are losing our competitive edge. Today, I am encouraged to see both Congress and the White House working together on policies that will potentially grow our economy and bring relief to businesses and families who have been crushed by improper fiscal policies that are driven by political attempts to manage our economy.

Now is exactly the time to get these changes right. We have an opportunity to change our Tax Code to a more competitive structure that doesn't pick winners and losers, that doesn't penalize people for successes, and that allows us to compete with the rest of the world on a level playing field.

I like our chances if we can accomplish that, but let's not confuse the issue with what may seem acceptable in Washington but is devastating back home to men and women who are trying to create jobs in their local economies.

We need to free up capital. We need to make sure the rule of law supports the Constitution for every American. The American people deserve Congress treating these issues individually and independently to generate a simplified approach to funding our government and growing our economy.

I hear the other side whine about not hearing any proposals coming out of the White House. Donald Trump has been talking about what he would do with the economy for the past 2 years. There is no mystery. He wants to grow the economy. Job one, he said, is growing the economy. That doesn't mean for the rich. That means for the working men and women of America.

I believe they have a plan. It includes adjusting our tax system, pushing back on unnecessary regulations that are sucking the very life out of our economy and, finally, once and for all,

unleashing this great energy potential that we have.

We already see moves today on some of the regulatory fronts, where we see the new Secretary of HHS issuing a new rule today. We see the new leaders that have been confirmed already taking action in this administration. I, for one, am anxious to move forward with this debate.

I applaud our compatriots in the House for bringing up these ideas. I look forward to an open and active conversation, but now is the time for the other side to begin confirming these nominees so that we can get this economy growing.

I know you also are aware that our military is in devastating shape now after 8 years of disinvestment and 15 years of war. There is enough blame to go around here. This is not about the blame game. This is about getting this economic situation right where we can fund our military so we can defend our country.

I am very concerned that the other side is putting politics in the way of solving some of these problems that we have that are so devastating to men and women who are disenfranchised in our economy and our men and women in uniform around the world who are put in danger every day because we are not funding our military the way we should.

The time for rhetoric has passed. We are already past the tipping point of the most serious, I believe, physical crisis in our history. This debt crisis is very real. We don't need to grow the economy just to grow the economy. We have to grow the economy because it is one of several steps that are absolutely mandatory to solving this debt crisis, and we will not and cannot solve our national security crisis unless and until we solve this debt crisis. I am optimistic tonight because we are beginning to talk about these very issues.

I yield my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

TRIBUTE TO MONA PAINTER

Mr. SULLIVAN. Mr. President, in the past month, I have come to the floor to recognize Alaskans who have generously devoted their time and talents to our State and made it a better place for all of us to live in. It is a great place to live. There is a mystique surrounding my great State—a well-earned mystique. People travel to Alaska from all over the world to discover a part of themselves that craves high peaks, beautiful mountains, streams, and swaths of wilderness.

The real wonders of Alaska are our people—kind and generous people, many of whom have etched warm homes and welcoming communities out of wilderness. One of those people who has helped make my State truly extraordinary is Mona Painter, our Alaskan of the Week.

Mona, who will be 80 years old soon, first visited Alaska when she was just 11 in 1949. She flew, by herself, with others in a tiny four-engine passenger plane to visit relatives. In the 1950s, she moved to Alaska for good and eventually settled in Cooper Landing. Cooper Landing has about 350 year-round residents, but that number swells in the summer. It has some of the best fishing and rafting anywhere in the world—an astonishingly beautiful place.

It has people like Mona, a devoted wife, grandmother, great-grandmother, and someone, who according to one fellow resident, is ''the glue that binds the community of Cooper Landing together.''

She has done so much for this community—volunteering countless hours over the decades to ensure community cohesion in the schools, churches, and various clubs, including the Cooper Landing Community Hall, which serves as the community's unofficial city council.

Since living in Cooper Landing, Mona received an art degree, has taken anthropology classes, and even took a taxidermy class—once practicing her skills on a moose left on the side of the highway.

One of Mona's passions throughout the years has been to keep history alive in Cooper Landing. To that end, she started the Cooper Landing Historical Society and Museum, with which she is still very involved. For years she has devoted her time and energy to collecting bits of history about Cooper Landing and sharing that history with her neighbors, with residents, and with all Alaskans. She is also the founding member of the Kenai Communities Association and helped to spearhead the effort to create a national heritage area in that part of our State.

One of her friends said about her: ''The whole essence of her life has been to make this community a better place to live and to restore the history of the community.''

People like Mona make my State great, and I want to thank Mona for all she has done for Alaska, and thanks for being our Alaskan of the Week.

TRIBUTE TO DELYNN HENRY

Mr. President, I want to talk about another Alaskan. She is a great Alaskan, an honorary Alaskan, but to all those who know her, a real Alaskan. So many people in my State know her. So many people in my State love her. I am talking about DeLynn Henry.

When I got elected in 2014, I was looking for important members of my office to staff my office. As we all know on the Senate floor, the scheduler is probably the most important position. I asked around, and the unanimous response was to hire DeLynn Henry. That is what everybody told me. In Alaska, in DC, hire DeLynn Henry. She is a legend. She will make everybody feel at home.

DeLynn had been the scheduler for former Senator Ted Stevens, a titan of the Senate since 1989. For the past two decades, she has met thousands of Alaskans. She has done the vitally important work of making sure that when Alaskans come to DC—to our embassy here, the Alaskan embassy—they feel welcome, they get to meet with their Senator.

To many of us, including my wife Julie, DeLynn is like family. Her job, which she takes very seriously, is something she has done extraordinarily well—for me and for Senator Stevens—for decades. She is personal and kind. She does everything she can do to make sure that Alaskans feel welcome, part of our family, and feel at home. She has also raised two fine sons, Blake and Graham, and will soon be a doting grandmother.

DeLynn has accepted a job as the scheduling coordinator for our new Secretary of Transportation. I am sad and happy for that. She will be leaving my office. She will be leaving a big hole in my office. We, and so many Alaskans, will miss her dearly, but we know she will be serving Secretary Chao's office with the same warmth and welcoming attitude she has served Alaskans for nearly 25 years.

Thank you, DeLynn, for your years of service to Alaskans. You will always, always have a home with us.

Mr. President, I rise in support of Congressman MULVANEY's confirmation to be OMB Director for many of the reasons that a number of my colleagues have come to the floor and mentioned. The Presiding Officer just talked about some of those reasons. My colleague and friend from Wisconsin did a few minutes ago, also. Those are two issues that don't get talked about enough here and, certainly, weren't talked about enough in the last 8 years; that is, economic growth and the overregulation of our economy.

Again, it wasn't talked about a lot, but we had a lost decade of economic growth. The end of the Bush years and the entire Obama years never hit 3 percent GDP growth in 1 year—never. That is the first President in the history of the country not to do that.

For thousands, millions of Americans the American dream was starting to disappear because nobody focused on the issue of growth. I think in November the American people voted and said: We are not going to give up on the American dream. We want growth. We want opportunity. Why did we have that lost decade of growth where the economy grew at an anemic 1.5-percent GDP growth each quarter?

I think this chart shows a lot of the reasons right here—the explosion of Federal regulations that have literally choked opportunity and economic growth in our country. Year after year—Democrat or Republican—this is

what we see. This regulatory overreach impacts all kinds of Americans, mostly small businesses. This is a big reason why this economy has been stuck in first gear.

When I had my discussions with Congressman MULVANEY, we focused on this issue of growth, and we focused on this issue of overregulation. We haven't had an OMB Director in years who is focused like a laser on growth, like a laser on making sure we don't overburden our economy the way the Federal Government has done for decades. That is exactly what we need right now. We need growth. We need opportunity for Americans. We need the Federal Government to be a partner in opportunity, not an obstacle, as it is in so many States.

For these reasons and because I believe the next OMB Director is going to be focused on these issues—opportunity for Americans and growth for our economy, which sorely needs it—I plan on voting for the confirmation of Congressman MULVANEY, and I encourage my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, as the ranking member of the Budget Committee, I rise in strong opposition to the nomination of Congressman MICK MULVANEY to be the next Director of the Office of Management and Budget, or OMB.

Like many of President Trump's other nominees, my opposition to Congressman MULVANEY has less to do with his extreme rightwing economic views than it has to do with the hypocrisy and the dishonesty of President Trump. The simple truth is that Congressman MULVANEY's record, in many respects, is the exact opposite of the rhetoric that then-Candidate Trump used in order to get votes from senior citizens and working families. Now, if Candidate Trump had run his campaign by saying: I am going to cut your Social Security benefits if elected President, well, you know what, Congressman MULVANEY would have been the exact person that he should bring forth as OMB Director. If President Trump had said: I am going to privatize your Medicare; vote for me because I am going to privatize your Medicare—if that is what he had campaigned on, then Congressman MULVANEY would have been exactly the right choice for OMB Director. If Candidate Trump had said: I want to devastate Medicare, I want to make it harder for poor people to get the healthcare they need, and I want to threaten the nursing home care of millions of senior citizens—if that is what Candidate Trump had said, MICK MULVANEY would have been exactly the right and appropriate leader for the job.

But those are not the words, that is not the rhetoric, and those are not the ideas that Candidate Trump raised during his Presidential race. In fact, Candidate Trump said exactly the opposite on May 7, 2015. We are all familiar with Mr. Trump's tweets. Here is a tweet that he made on May 7, 2015:

> I was the first and only potential GOP candidate to state there will be no cuts to Social Security, Medicare and Medicaid. Huckabee copied me.

So you have Candidate Trump making it very clear that there would be no cuts to Social Security, Medicare, and Medicaid.

On August 10, 2015, Trump said:

> [I will] save Medicare, Medicaid and Social Security without cuts. [We] have to do it. . . . People have been paying in for years, and now many of these candidates want to cut it.

On November 3, 2015, Mr. Trump said:

> I will save Social Security. I'll save medicare. . . . People love Medicare. . . . I'm not going to cut it.

On March 10, 2016, Mr. Trump said:

> I will do everything within my power not to touch Social Security, to leave it the way it is . . . it's my absolute intention to leave Social Security the way it is. Not increase the age and to leave it as is.
>
> It is my absolute intention to leave Social Security the way it is. Not increase the age and to leave it as is.

It can't be much clearer than that.

On May 21, 2015, Mr. Trump tweeted:

> I am going to save Social Security without any cuts. I know where to get the money from. Nobody else does.

On January 24, 2015, Mr. Trump said:

> I'm not a cutter. I will probably be the only Republican that doesn't want to cut Social Security.

Those are pretty strong statements. What he just told you, in no uncertain terms, can't be clearer than that. He doesn't want to cut Social Security. He doesn't want to cut Medicare and doesn't want to cut Medicaid. And you know what, millions of people actually believed what he said. They actually thought that Candidate Trump was telling the truth.

But now that the election is over, President Trump has nominated a budget director, Mr. MULVANEY, who would cut Social Security, would cut Medicare, would cut Medicaid, and would threaten the entire security of millions of Americans.

We just heard the exact quotes coming from candidate Donald Trump. Let's now hear the exact quotes coming from Congressman MICK MULVANEY about his views on these very same issues.

On May 15, 2011, Congressman MULVANEY said on FOX Business News:

> We have to end Medicare as we know it.

On April 28, 2011, Congressman MULVANEY said:

> Medicare as it exists today is finished.

On August 1, 2011, Congressman MULVANEY said:

> You have to raise the retirement age, lower a pay-out, change the reimbursement system. You simply cannot leave [Social Security] the way it is.

On May 17, 2011, Congressman MULVANEY said: ''I honestly don't think we went far enough with the Ryan plan'' because it did not cut Social Security and Medicare ''rapidly enough.''

Just 2 years ago, Congressman MULVANEY voted against the budget proposed by House Budget Committee Chairman Tom Price and House Speaker PAUL RYAN, opting instead to vote in favor of an even more extreme budget by the Republican Study Committee. The budget that Congressman MULVANEY supported would have cut Medicare by $69 billion more than the Price-Ryan budget. It would have cut Social Security by $184 billion more, and it would have cut Medicaid by $255 billion more than the budget proposed by Chairman Price and House Speaker RYAN.

In fact, Congressman MULVANEY made it clear during his confirmation hearing in the Budget Committee that he would advise President Trump to break his promises not to cut Social Security, Medicare, and Medicaid. During that hearing, Senator CORKER called President Trump's campaign promises ''totally unrealistic'' and said that they ''make no sense whatsoever.''

When Senator CORKER asked Congressman MULVANEY if he would advise the President not to follow through on the campaign promises he made to seniors, this is what Congressman MULVANEY said:

> I have to imagine that the President knew what he was getting when he asked me to fill this role. . . . I'd like to think it is why he hired me.

Whoa, what we have been discussing is precisely why so many people have contempt for what goes on here in Congress and what goes on in Washington, in general. What is going on here is that a candidate for President of the United States says one thing in order to get votes, but the day after he is elected, his tune dramatically changes, and he nominates a number of people to his Cabinet and to high-level positions within his administration who intend to do exactly the opposite of what he campaigned on. Once again, Congressman MULVANEY—and I believe he is exactly right—said:

> I have to imagine that the President knew what he was getting when he asked me to fill this role. . . . I'd like to think it is why he hired me.

So the President hires somebody who has been one of the most vigorous proponents of cutting Social Security, cutting Medicare, and of cutting Medicaid after he ran his entire campaign telling the American people he would not cut Social Security, cut Medicare, and cut Medicaid.

Outside of Capitol Hill, where real people live, it turns out, not surprisingly, that the overwhelming majority of Americans—be they Democrats, Republicans, or Independents—are opposed to cutting Social Security. In fact, according to an October 2016 survey by Public Policy Polling, 72 percent of the American people, including 51 percent of Republicans, ''support increasing, not cutting, Social Security benefits by asking millionaires and billionaires to pay more into the system.''

As it happens, that is exactly the heart and soul of the legislation that I will soon be offering. Legislation that I will be offering will expand Social Security benefits, not cut them. It will do so by asking the top 2 percent to pay more in taxes, which, it turns out, is not only the right thing to do, but it is precisely what the American people want us to do. Various other polls have reached similar results. The people of our country—once you get outside the Congress and outside of the Republican caucus, in particular—the American people know that when millions of seniors, disabled veterans, and people with disabilities are trying to get by on $13, $14, $15,000 a year, you do not cut their benefits, while at the same time give hundreds of billions of dollars in tax breaks to the top 1 percent. That is not what the American people want.

In my view, we don't need a budget director like Congressman MULVANEY, who believes that Social Security is a ''Ponzi scheme.'' We don't need a budget director who once voted to declare Social Security, Medicaid, and the U.S. Department of Education unconstitutional. He was in, I believe, the South Carolina State Legislature, State Senate. He actually voted on a vote—which got very few votes—in the South Carolina State Senate. He voted to declare Social Security, Medicaid, and the U.S. Department of Education unconstitutional. This is the person whom President Trump has nominated to become the head of OMB.

So if you believe Social Security is unconstitutional, if you believe it is a good idea to cut benefits for people who will be living on $13,000 or $14,000 a year, I guess Mr. MULVANEY is your choice. If that is whom my Republican colleagues want to vote for, that is their business, but my job and the job of everybody is to make it clear to the American people that the Republicans are far more interested in cutting Social Security and in giving huge tax breaks to billionaires than they are in taking care of the needs of the American people.

We need a budget director who understands that we have a retirement crisis in America today. Today, more than half of older Americans have no retirement savings. That is just an extraordinary reality. Over half of older workers in this country have zero in the bank. Think about what they are feeling when they hear people like Congressman MULVANEY saying: Hey, you got nothing now. You are going to try to get by on $12,000, $13,000 a year in Social Security, and we are going to cut those benefits.

Today, more than half of older Americans have no retirement savings. More than one-third of senior citizens depend on Social Security for all of their income. One out of five senior citizens is trying to make ends meet on income of less than $13,000 a year. I will tell you, I hope people are able to sleep well, people who think it is appropriate to give tax breaks to billionaires and cut benefits for people who are trying to get by on Social Security checks of $13,000 a year.

In my view, we don't need a budget director who believes that ''we have to end Medicare as we know it,'' nor do we need a budget director who has said that ''Medicare as it exists today is finished.'' Let's remember for a moment what things were like before Medicare was signed into law back in 1965. At that point, about half of all seniors were uninsured and millions more were underinsured. Today, thanks to Medicare, about 45 million seniors have health insurance, and the senior poverty rate has plummeted. Seniors are living healthier, longer lives. Thank you, Medicare.

In my view, we do not need a budget director who supports cutting Medicaid by more than $1 trillion, threatening not only the healthcare of low-income people but also the nursing home care of millions of vulnerable senior citizens and persons with disabilities. There are millions of not just low-income families but middle-class families who today are getting help with the nursing home payments for their parents through Medicaid. If you make devastating cuts in Medicaid, you are not only going to take away health insurance from low-income Americans, you are going to put enormous economic stress on middle-class families who will now have to pay the full tab for the nursing home care of their parents.

Finally, there is another issue; that is, Mr. MULVANEY's taxes. After Congressman MULVANEY was nominated to become the next OMB Director, it was revealed that he failed to pay over $15,000 in taxes for a nanny he employed from the year 2000 through 2004. Here is what Congressman MULVANEY wrote in response to a question I asked him on January 11:

> I have come to learn during the confirmation review process that I failed to pay FICA and Federal and State unemployment taxes on a household employee for the years 2000 through 2004. Upon discovery of that shortfall, I paid the Federal taxes. The amount in question for Federal FICA and unemployment was $15,583.60, exclusive of penalties and interest which are not yet determined. The State amounts are not yet determined.

This is a very serious issue. As you will recall, 8 years ago Senator Tom Daschle withdrew his nomination as Secretary of Health and Human Services after it was discovered that he failed to pay taxes for one of his domestic workers.

On this issue, I agree wholeheartedly with Minority Leader Schumer, who said:

> When other previous Cabinet nominees failed to pay their fair share in taxes, Senate Republicans forced those nominees to withdraw from consideration. If failure to pay taxes was disqualifying for Democratic nominees, then the same should be true for Republican nominees.

Mr. President, here is the irony: Over and over again, Congressman MULVANEY has sponsored and cosponsored legislation designed to prohibit people from serving in the government if they fail to pay their taxes. In 2015, Congressman MULVANEY voted for a bill in the House that stated: ''Any individual who has a seriously delinquent tax debt should be ineligible to be appointed or to continue serving as an employee'' of the Federal Government. Congressman MULVANEY cosponsored three bills when he was in the South Carolina State Senate that would have prohibited tax cheats from serving in the South Carolina State government. In other words, it looks like there is one set of rules for Congressman MULVANEY and another set of rules for everyone else.

In light of this information and in light of Congressman MULVANEY's extreme rightwing record of attacking the needs of the elderly, the children, the sick, and the poor, I would urge all of my colleagues to vote no on this nomination.

With that, I yield the floor.

Mr. UDALL. Mr. President, I wish to oppose the confirmation of Congressman MICK MULVANEY as Director of the Office of Management and Budget. I respect Mr. MULVANEY's public service representing the people of South Carolina, who elected him to serve in the State legislature and in Congress. However, the question before us today is whether the Senate should confirm him to one of the most important economic positions in our government—a position that has major ramifications for global financial markets, the United States and New Mexico economies, and the jobs, health care, and retirement security of every American.

Unfortunately, Representative MULVANEY's record shows a shocking willingness to put at risk the security of the public debt of the Nation and endanger essential Federal programs that New Mexicans depend upon. I want to underscore a few of Representative MULVANEY's previous statements made as a Member of Congress.

First, he has supported playing chicken with the debt ceiling over partisan political issues, an action that would jeopardize the U.S. Government's ability to repay the public debt. If the debt ceiling is not raised, Federal officials have said that the revenue coming into the government would not be enough to cover its obligations—potentially disrupting Social Security, Medicare, Medicaid, veterans benefits, military payments, student loan payments, and many other government services.

Despite these clear dangers, Representative MULVANEY voted no on raising the debt ceiling every time it came up for a vote in 2011, 2012, and 2013. He claimed that risking disruption to Social Security and veterans benefits was ''a fabricated crisis.'' He went so far as to question the majority leader, claiming that, if the Senate chose to raise the debt ceiling, the majority leader ''should just quit and go home.'' I, for one, will be here to defend the full faith and credit of the United

States' public debt and protect essential government services that our sick, our elderly, and our veterans depend upon.

Putting someone with such strongly held and reckless views into power at the OMB is an endorsement of policies that could cause another global financial crisis—devastating millions of American families. I cannot in good conscience support his nomination for this reason alone.

Second, Representative MULVANEY is a founding member of the group of extreme House Republicans who forced the government to shut down in October 2013 over their blind opposition to the Affordable Care Act. In New Mexico, the impacts of the shutdown were felt immediately as our civilian employees were sent home from military installations, national parks and forests were closed to tourists, and countless other services were halted. The shutdown lasted over two weeks, and Representative MULVANEY and other members of his extreme wing of the House could have ended the shutdown at any time.

Representative MULVANEY claims that he opposes wasteful government spending, but an analysis by Standard and Poor's found that the October 2013 government shutdown cost $24 billion—$24 billion with nothing to show for it. Even Representative MULVANEY admitted that his shutdown hurt people. On October 16, 2013, he told CNN, ''Were people hurt by this? Sure.'' He admitted that, if you were one of the millions of people who relied on the shuttered services, his shutdown hurt you, but Representative MULVANEY showed little remorse. I stand by what I said at the time. Insisting on blind cuts or a government shutdown to prove a point isn't leadership.

Third and finally, Representative MULVANEY is on record advocating enormous cuts to Medicare, and he is a proponent of Speaker RYAN's preferred voucher concept for Medicare. He also has long been hostile to Social Security and voted in the South Carolina State Senate to declare Social Security, along with Medicaid and the Department of Education, unconstitutional.

Workers earn their Social Security benefits through a lifetime of paying into the Social Security system. And it is unfair to delay or cut the benefits they have paid into. Raising the retirement age to 70, as Representative MULVANEY has advocated, would cut benefits by nearly 20 percent for all beneficiaries. Raising the retirement age would be hardest for those New Mexicans who work in jobs that require heavy manual labor, which becomes harder to do as we age. With all the challenges people have saving for retirement, especially as New Mexico continues to struggle to recover, the last thing we should do is raise the Social Security retirement age.

In conclusion, Representative MULVANEY has demonstrated that he has no reservations about using a government shutdown or the public debt as bargaining chips. He has stated that he will push to eliminate Social Security for people under 70. He will slash Federal consumer protections and cut support for small businesses, labor rights, financial oversight, community health, and environmental protection. I have heard from many people and groups—a broad coalition of consumer, small business, labor, good government, financial protection, community, health, environmental, civil rights, and public interest organizations—who oppose the nomination. I stand with them. I strongly oppose Representative MULVANEY's nomination to be Director of the Office of Management and Budget and urge my colleagues to do so as well.

Mr. SANDERS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, here we are on another evening, debating another Cabinet nominee, addressing the question that Hamilton put before us, which is whether an individual is of fit character to serve in a particular post. This effort, this advice and consent responsibility held by the Senate, is one that was anticipated by our Founders to be used rarely because the very existence of this power, they felt, would ensure that a President would nominate people who are appropriately suited to the post they would hold. So I do find it troubling the number of times I have come to the floor in these last few weeks to speak about a nominee and consider whether they are fit and to find that perhaps the individual is lacking.

Tonight we are considering the nomination of Congressman MICK MULVANEY to head the Office of Management and Budget. This is a powerful organization, and it is a very important position. It plays a critical role in the oversight and management of our Federal budget. It plays a critical role in determining what gets funded and what doesn't get funded. So with that in mind, it is important that we have a robust debate about this position and about this nominee.

To break that down a little bit, the Office of Management and Budget puts together the budget for the President. In doing so, they take the vision our President has articulated, and they build it into a roadmap to accomplish that vision because where you spend money affects what actually happens as we pursue programs here in the United States of America.

It is the Director of the OMB who works to make sure the various pieces of the Federal Government are working together like gears that mesh cleanly together and do not conflict. It is the Director of the OMB who helps to determine the cost of proposed legislation, which can advance or doom any particular proposal. It is the position of the OMB Director to review the impact of proposed regulations, and that can also have a significant impact.

I come to this conversation with a number of concerns, and the first is the position of the nominee on Social Security. For 82 years, Social Security has provided for the American people, and it has helped our Nation prosper.

On the third anniversary of the Social Security Act, in 1938, Franklin Roosevelt pointed out: ''Men and women too old and infirm to work either depended on those who had but little to share, or spent their remaining years within the walls of a poorhouse.''

That is not the vision we have today. Thanks to Social Security, our seniors have a basic income to see them through their golden years. They can live out their lives in relative comfort and security, rather than, as Franklin Roosevelt put it, ''within the walls of a poorhouse.''

In 2016, roughly 61 million Americans received over $900 billion in Social Security benefits. That is a huge injection into our economy, and it is spent almost immediately on fundamental goods. Nearly 9 out of 10 Americans older than 65 receive Social Security benefits, and for one-quarter of our Social Security beneficiaries, including both those who are single and those who are married, Social Security accounts for virtually their entire income. That would be many millions—more than 15 million Americans who would definitely be struggling in the most difficult fashion financially if Social Security didn't exist.

Retired workers and their dependents account for about 71 percent of the benefits paid. Funds also go to disabled workers. Disabled workers and their dependents account for about 16 percent of the benefits. Survivors of deceased workers account for another 13 percent or roughly one-eighth of the benefits paid.

Simply put, Social Security assists our retired workers, our disabled workers, and the survivors of our deceased workers. It is one of the best ideas America has ever put forward, but Congressman MULVANEY doesn't agree. He sees Social Security as a Ponzi scheme. Let me explain what a Ponzi scheme is. A Ponzi scheme is something where the incoming amount raised immediately pays for the benefits of somebody who paid in money previously.

We actually have a Social Security trust fund, which is the difference between MICK MULVANEY's description of Social Security and what we actually have. If we made no changes, no changes at all to increase the lifetime of the trust fund, it would continue to be able to pay 100 percent of the benefits through 2034 and roughly three-

quarters of all benefits currently promised ever after. That is if we make no changes.

If we make small changes, our Social Security trust fund is solvent for decades and decades into the future. Certainly, I think we should aspire to that vision of a trust fund that has a 75-year horizon, a full solvency.

The issue that Congressman MULVANEY raises, the idea he raises for changing how we adjust Social Security, however, isn't one of increasing the amount of wages that are subject to Social Security tax; it is not one of putting premiums on the income earned through nonwages, which is primarily income raised by wealthier Americans. Instead, it is to say to folks: Just retire later.

When you are a white-collar worker and you work in an office that is nicely air-conditioned and you have had full healthcare benefits throughout your entire life, maybe when you get into your sixties, you say, ''Well, maybe I could keep working a little longer,'' but the reality for a huge percentage of Americans who work difficult jobs, who work jobs where their bodies wear out, they don't have the choice of simply saying: I will retire in another 5 years, because they literally have developed so many issues and challenges that it is impossible to do the same kind of work they did in their twenties and their thirties in their sixties.

So that strategy of moving the goalpost on American workers, many of whom are decades already into the work they are doing, doesn't fulfill the promise and the vision of the Social Security Program.

While Social Security is a great idea, moving the retirement age to age 70—which MICK MULVANEY advocates for, from his view as someone who comes from a job that perhaps isn't as arduous as many jobs in America—is a bad idea.

This vision continues on into Medicare. Like Social Security, Medicare is also a generational promise, a lifeline for countless Americans since President Johnson signed it into law now more than five decades ago. Over 55 million Americans rely on Medicare for their health and their financial security. Roughly, 46 million are older Americans, 9 million are younger Americans with disabilities or certain illnesses.

While this program has worked incredibly well, our nominee wants to ''end Medicare as we know it.'' Those are ominous words for the 55 million Americans relying on Medicare. He also believes we have to raise the retirement age.

He told Bloomberg News in 2011: ''You have to raise the retirement age, lower a payout, change the reimbursement system.''

The problem with raising the retirement age is the same problem we have with Social Security. For American workers working hard in many types of jobs, their bodies are worn out. I used to have folks come to my townhalls and say: Senator, I am just trying to stay alive until I get to age 65, and they would tell me how they had multiple diseases and they were choosing between which disease to treat or how they had a single significant problem, but they were deciding to skip their pills every other day or cut their pills in half or perhaps go a week without their pills at all or how they were choosing not to go to the doctor when they developed a difficulty because they were afraid they wouldn't be able to afford the payment. That is not a healthcare system, but MICK MULVANEY wants to say to those folks: Oh, you reached age 65, too bad. I am providing this healthcare program another 5 years into the future. That is simply wrong, but more than wrong, it is also in direct contradiction to the promises made by President Trump during his campaign.

The contrast is incredibly stark between the President's promise to Americans that unlike so many of the folks in his party, he would not be the one to promote tearing down Medicare and Social Security. He would not be the one to promote advancing the retirement age so people who are struggling have to struggle for another 5 years. So it is a poor fit between this individual and the office and the promises made to the American people.

Another concern I have is in regard to Congressman MULVANEY's advocacy for shutting down the economy. He seems very comfortable playing Russian roulette with our economy. He and a group of other House Members brought our government to a screeching halt in 2013 because they wanted to defund the Affordable Care Act. What is the Affordable Care Act? The Affordable Care Act has enabled 20 million Americans to gain access to healthcare that they didn't have previously.

In my home State of Oregon, the Affordable Care Act has enabled about one-half million people to gain access to healthcare, both through expansion of Medicaid, known as the Oregon Health Plan, and also through the healthcare exchange and marketplace where you can compare one policy to another, shop for the policy that best fits your family, and those of modest means get credit to help pay for those policies so they can actually afford them. It is an affordable care plan that provides for a healthcare set of benefits—benefits such as the ability to keep your children on your policy through age 26, benefits such as not having an annual limit or a lifetime limit on your policy so that when you do get seriously ill, you don't run out of healthcare partway into treating your disease. It is the Affordable Care Act that ends gender discrimination in the insurance marketplaces. It is the Affordable Care Act that says if you have a preexisting condition, you can still get insurance.

I was at a fundraising walk for a woman who had a family member with multiple sclerosis. It was a fundraiser for multiple sclerosis. She said: Senator, this year is so different from last year. That was the year before the Affordable Care Act was implemented. I asked: How so? She said: A year ago, if your loved one was diagnosed with MS and they had insurance, you knew there was a good chance that your insurance was going to run out at the end of the year or they would hit a lifetime limit, and they wouldn't be able to pay for the care they needed. She said: If you didn't have insurance, you now have a preexisting condition that would prevent you from ever getting insurance.

She went on to say that the difference between last year and this year, because of the Affordable Care Act, is that now members in the MS community—those who had the disease and their family members who were supporting them all out at this fundraising walk—now knew their loved one would have the peace of mind that they would get the care they needed. This is what a healthcare system is all about, peace of mind, but MICK MULVANEY wanted to tear away that peace of mind. He proceeded to support a 16-day government shutdown that cost our country $24 billion—and to what purpose? To rip peace of mind away from 20 million Americans.

Back in 2015, he threatened to do it all again. The damage he had done—the $24 billion he had stolen from the American Treasury in the context of damaging the government with that shutdown—he was ready to do it all again in order to make sure Planned Parenthood never gets a dime from the government. To be clear, not a single dime from the government goes to Planned Parenthood for abortions. In fact, the organization that has done more to decrease abortions than any other in our country is Planned Parenthood. The government funds go for different purposes. They go to Planned Parenthood to do cancer screenings, breast cancer screenings, prostate cancer screenings, and a whole host of fundamental basic healthcare. They are the healthcare provider for 2.5 million American women. Just as he was ready to recklessly shut down the government to rip healthcare away from 20 million Americans in 2013, he was ready to defund these essential healthcare clinics serving 2.5 million Americans in 2015. That is a sign of someone who has lost their policy foundations and is acting in an irresponsible and unacceptable manner.

Let's talk a little bit about the Consumer Financial Protection Bureau. The CFPB was in response to a big problem in America, which was that we had no one looking out to shut down predatory financial practices. It was the responsibility of the Federal Reserve, but the Federal Reserve had their conversation on monetary policy up in the penthouse—the top level, if you will. That is what the Chairman of the Federal Reserve paid attention to.

They took the responsibility for consumer protection and put them down in the basement, and they locked the door and threw away the key.

Folks kept coming to the Federal Reserve saying: Hey, there is a major concern here. We have these predatory mortgages that have these teaser rates, and they are going to destroy the families who get those mortgages. They are going to destroy their dream of homeownership and turn it into a nightmare. People went to the Federal Reserve and said: By the way, we now have these wire loans, where there is no documentation of income and people are being sold these loans that they have no hope of repaying. In addition, we have another predatory practice called steering payments, which are kickbacks to originators. So they are getting kickbacks to steer people into subprime loans with high interest rates rather than prime loans that they qualify for. What happened? The Federal Reserve ignored all of that. That is the foundation for the collapse of our economy in 2008.

So along comes ELIZABETH WARREN. ELIZABETH WARREN, as an advocate, not yet a Senator, comes to this body and said: We need an agency whose mission is to look out and stop predatory financial practices, a Consumer Financial Protection Bureau, and we got it done.

What does MICK MULVANEY say about this effort to stop predatory financial practices? He says it is a ''sick, sad joke.'' So I asked him about this in committee. I said: Really? This is an agency that finally is watching out for working families so they are not prey to predatory, fraudulent practices. And he said: Yes, ''a sick, sad joke.''

I said: You know, they have returned funds to 27 million Americans. What other agency has fought for Americans in that fashion—returned funds to them from folks who were operating in a predatory fashion, to 27 million Americans. I didn't change his view by raising that.

I said: You know, this agency, to those 27 million people, has returned $12 billion. There was $12 billion returned to people who were cheated; isn't that a good thing? But I didn't persuade him.

He said: You know, I don't like the way this agency is set up. I want it to be a commission rather than an individual who heads it, and I want the funds to be appropriated annually by Congress.

I can tell you exactly why he wants those provisions, because that is the way Congress, at the behest of Wall Street, can step on the airhose that supplies the oxygen to CFPB. They can stop the CFPB from functioning as a guardian, as a watchdog for consumers in America by simply defunding it.

We have a President who ran on the principle of taking on Wall Street, but MICK MULVANEY doesn't want to take on Wall Street. He wants to do their bidding, to be able to shut down this agency that is finally fighting for financial fairness for working families. Wait. We have a President who said he is going to fight for working families. MICK MULVANEY should be backing the CFPB. He should be expanding the CFPB. He should be championing the CFPB, but, no, he wants to tear it down. That is deeply disturbing.

I see my colleague, the Senator from Hawaii, who is prepared to make remarks. I am going to wrap up my remarks.

There are more concerns that I have about the policy perspectives and how out of sync this nominee is with the promises the President made to fight for working Americans, the promises he made to take on Wall Street, the promises he made to protect Social Security, the promises he made to strengthen Medicare, not to tear it down. So for all these reasons, I find MICK MULVANEY is not the right person to fill this post, and I encourage my colleagues to vote against confirming him in this capacity.

The PRESIDING OFFICER. The Senator from Colorado.

ORDERS FOR THURSDAY, FEBRUARY 16, 2017

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, February 16; 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, and morning business be closed; finally, that following leader remarks, the Senate proceed to executive session, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. GARDNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that following the remarks of Senators SCHATZ, WHITEHOUSE, and HIRONO, the Senate resume morning business and then stand adjourned under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii.

Mr. SCHATZ. Mr. President, the Senate is preparing to vote on Congressman MICK MULVANEY to lead the Office of Management and Budget. This nomination may seem like it doesn't deserve a lot of attention because we don't hear much outside of Washington about the OMB, the Office of Management and Budget. It is kind of a wonky, obscure office, with fewer than 500 staff members.

At a time when there are so many looming questions about this Republic, about this administration, it is easy to overlook the Congressman's nomination, but it actually matters very much, particularly at this moment, and that is because the person who controls the budget, the person who has the final say on fiscal and financial priorities for the administration has immense power. This position controls the President's budget, and that means that this person can give the green light to programs and policies across the Federal Government or stop them in their tracks. And because he has a long track record as a legislator, Congressman MULVANEY has already shown what kind of decisionmaker he will be if he is in charge of the Office of Management and Budget, OMB.

I will be blunt. His record and his ideas are worrisome. It should concern every Senator who is worried about some of the biggest issues facing Americans, from Social Security, to public health, to the basic, uninterrupted operations of the government itself. So this vote is a moment of truth. It will determine where we really stand on the issues that shape both individual lives and our country's future.

Let me highlight just four issues to show why this person is the wrong person to run OMB.

The first is Social Security. More than 80 years ago, President Roosevelt signed the Social Security Act into law. In doing so, he created a national plan to provide economic security for American workers. Since then, Social Security has proven to be the most successful anti-poverty program in our history. Each year, it lifts more than 20 million Americans, including 1 million children, out of poverty.

It is hard to imagine a world without Social Security, but I want everybody to understand that pre-Social Security, we had tens of millions of Americans—more than we do now—who would be in poverty upon retirement. So this program has actually reduced poverty among the elderly more than any other program could possibly have accomplished.

Nowhere is Social Security more important than in Hawaii. More than 200,000 people receive Social Security benefits. For more than one in four Hawaii seniors, Social Security is their only source of income. And the money just isn't enough; it is about $14,000 a year. Just to give folks an understanding of Hawaii, we are considered the second or third most expensive housing market in the United States. We are after New York and sometimes in second place or third place, depending on where San Francisco is, but we are one of the most expensive places to live in the United States. For one in four Social Security recipients, that is all they get—$1,200 a month. Usually that will cover your apartment. That will not cover your electricity, it won't cover your utilities, it won't cover your food or clothing, and it won't cover your healthcare.

Today, most working households have little or no retirement assets at all, and many rely entirely on Social Security. This is partly because employer-provided pensions are becoming a thing of the past. So Social Security is more important than ever. It has become a pillar of our retirement system

that continues to work well. It is a universal guaranteed source of income that workers earn and depend on when they retire, but it is just not enough.

I will just add that it is only in Washington, DC, where entertaining the idea of cutting Social Security is considered moderate or mainstream or conservative, even, or adult. I mean, there is this sense that the way we ought to fix the challenges we have fiscally as a country is to take it out of the hides of people who get $1,200 a month to live.

Instead of strengthening the program, Mr. MULVANEY's ideas are very radical. He has said he wants to systematically alter Social Security by raising the retirement age to 70 years old. He wants to raise the retirement age to 70 years old. This is not an obscure person being appointed to an obscure post; this is a Member of Congress being appointed to be the head of the Office of Management and Budget. We are going to vote on him tomorrow, and everybody who says they are for Social Security is about to vote for a person who wants to raise the Social Security retirement age to 70 years old.

He has called Social Security a Ponzi scheme. When he worked in the South Carolina State Senate, he voted to declare Social Security unconstitutional. Again, he voted to declare Social Security unconstitutional, and I predict he will get all of the Republican votes. And all of these folks who say they wanted to protect your Social Security, after they put Tom Price at the head of HHS, they are about to put someone who is dedicated to undermining the most successful anti-poverty program in American history.

When asked in his confirmation hearing—because, look, you are a Member of Congress; you represent a certain constituency; you have certain views. Some people are able to sort of pivot from their role as a legislator, as a politician, and into a role as an appointee, a Secretary, a nominee. So when he was asked in this confirmation hearing if he would recommend that the President break a campaign promise to leave Social Security alone, the Congressman said that he would recommend that the President make cuts to the program. So this isn't something he has recanted; this is something he stands by—up until and including through his confirmation and his service at OMB.

But why make cuts to the most successful anti-poverty program in American history? Why would we make cuts to a program that is financed by its own revenue stream and by law does not add $1 to the deficit? Why would we cut benefits now just because we may have to cut them in 20 years? If we are going to change Social Security, let's do it in a way that expands benefits for generations to come. Let's lift the cap on taxable earnings. Let's remove the wage cap that unfairly shelters the highest earning Americans from paying into the Social Security trust fund that the majority of hard-working Americans do.

Here is how it works. The cap is roughly $120,000. So you pay Social Security—almost everybody pays Social Security tax, up to $120,000 in income. That is mostly everybody, right. But if you make $120,000, all of that is taxed up to $120,000. If you make $70,000, it is taxed up to $70,000. If you make $120 million in income, your first $120,000 is taxed for Social Security purposes; everything else is taxed at zero for Social Security purposes.

My view is that every dollar of income should be taxed for Social Security purposes, and that does two things: First, we are going to be in a position to increase benefits—not massively, but every little bit counts. Second, we will be able to increase the solvency of the Social Security trust fund to the year 2049.

Most every family has a Social Security story, whether it is a grandmother who relies on the program's benefits to pay for groceries, a father who suffered a debilitating injury after decades of hard work and receives much needed Social Security disability benefits, or a widowed mother who relies on Social Security survivors benefits to bring up her children.

In my own home, we have three generations living together—my wife Linda and me; our kids, Tyler and Mia; and Linda's parents, George and Ping Kwok. George Kwok lived the American dream. He ran a chop suey house, a Chinese restaurant in Honolulu, Kwok's Chop Suey, and worked hard all his life to give opportunities to his kids, until his eyes gave out. Like 200,000 seniors across Hawaii, he now relies on Social Security—SSDI—Social Security disability.

I tell you about my family not because we are unique but because we are not, because we are like so many families in Hawaii and across the country. And with the number of retirees growing, we need to do everything we can to strengthen this program, not to weaken it.

After a lifetime of hard work, seniors deserve to retire with the dignity and the benefits they have earned. This is a promise from the Federal Government. The current generation of Americans must keep our promises to seniors, but given his record, I am convinced that Congressman MULVANEY will try to do the opposite.

The second issue I am concerned about is the basic operations of government. Whether you are a member of the military, a visitor to a national park, or a worker looking to retire in the near future, we all need for the government to fulfill its basic obligations. But Congressman MULVANEY voted to default on the U.S. debt several times, and he did it in the face of warnings from the U.S. Treasury that this would be unprecedented and catastrophic for our economy and that it could drive the world deep into another recession just as we were finally recovering from the last one.

Think about how markets would react if the U.S. Government declared that it would not make good on its financial obligations. The stock markets would go crazy, and not in a good way. That would be terrible for the millions of people who invest their savings in the market for their retirement.

The Congressman has also voted several times to shut down the Federal Government, all in the name of getting his way. I cannot emphasize enough how dangerous his approach to government is. It is one thing as a Member of the House Freedom Caucus, as a Member of the U.S. House of Representatives—there are 435; you can take positions—but it doesn't have quite the direct impact that the Office of Management and Budget does. He has put party and partisan views over some of the most fundamental and basic principles of our government. To close the government, to stop paying our bills, to make people across the planet question the full faith and credit of the United States is beyond comprehension.

It should take a real crisis to pull Congress away from the negotiating table and all the challenges in front of us. But it actually wasn't a crisis that led the Congressman to vote to close our government; it was Planned Parenthood and the ACA. While we may disagree about the best approach on healthcare and even on reproductive choice and women's health, those disagreements should never get in the way of the U.S. Government going about its business. Yet Congressman MULVANEY's actions went against that basic principle.

With respect to our Democratic institutions, the procedural violence that was done to the U.S. Congress is hard to overstate in this case. The idea that a faction of a party would demand concessions—and I think we remember this—would demand concessions in exchange for satisfying their infliction of pain on the United States is unbelievable. And why? Because we are all Americans here. We all want to do right by our country. So the idea that one party would be willing to inflict terrible pain on the country, or else, was so beyond the pale that there is no rule against it, there is no law against it. And do you know why there is no rule and no law against it? It is because nobody contemplated that a major political party would behave in such a way. The assumption has always been that elected leaders would find a better way to stand up for their strongly held beliefs than by threatening to bring the American economy to its knees. Up until the shutdown led by the Congressman, that had been a safe assumption.

In 2011, Congress's delay in raising the debt limit forced the Department of Treasury to take what they call extraordinary measures to ensure that our government could pay its bills.

GAO estimates that this raised Treasury's borrowing costs by about $1.3 billion in fiscal year 2011. That is $1.3 billion in added government costs just for coming close to defaulting. The Bipartisan Policy Center projects that the full cost of that crisis to the Federal Government alone—not to the private sector economy, just the Federal Government—was around $20 billion over the maturity of that debt.

There is nothing conservative about defaulting on what we owe. It cripples free markets. It is Russian roulette playing, with a bullet in every chamber. There is nothing conservative about that.

When the government closed in 2013, we paid Federal workers to stay home. I want everybody to understand what we ended up doing. Listen, it wasn't their fault. These government employees are not the ones who screwed up; it was the Congress that screwed up. We paid dedicated Federal workers who want to do their jobs, not to do their jobs. We forced them to stay home and paid them anyway. I defy you to find a conservative outside of the Halls of Congress who finds that to be a conservative proposition. It is one thing to shut down the government for a couple of weeks and accrue the savings. I think that is inhumane, I think that is bananas, but at least you would save the money. These folks ended up paying all the money out and just forcing government workers to not do their jobs. This is not the left or right; this is upside down. We prevented Federal workers from doing their important work, like assisting small businesses and combating terrorism.

Ultimately, the 2013 shutdown was a bad move for our economy and for our budget. It cost us money instead of saving us money. In just the first week, it cost the economy $1.6 billion in lost economic output, and it cost about $160 million a day on the private sector side.

Worst of all, the Congressman has not seen the error of this. There were a lot of Members of Congress on both sides of the aisle who—in the heat of the battle, you sort of think the other side is going to back off and listen. We all learn lessons. We all make mistakes. There are a lot of Republicans who went through that shutdown and said: We never want to do that to the country again. But Congressman MULVANEY has not seen the error of his ways. He still believes the government shutdown was a good idea, and he said so at the confirmation hearing.

Senator MCCASKILL asked if he still thought the shutdown was the right way to go about things, and he answered yes. He answered yes. This kind of budget brinkmanship is not good for our government, to say the least, but it is certainly a bad fit for the person running the OMB.

The third issue I want to talk about is the Congressman's rejection of the role of public health and science. If we look at some of the biggest issues our country faces, it is clear that we need an OMB Director who understands the value of science, research, and public health. But the Congressman has said that climate change is based on ''questionable science'' and ''baseless claims.'' He has asked if we need government-funded research at all. These are not the views we should see from the person who directs the budget of the executive branch.

In September of last year, Congressman MULVANEY posted a statement about Zika on Facebook. He said:

> I have received all sorts of email and Facebook comments this week on Zika. Some people want me to pass a ''clean'' bill (which I suppose means not paying for it with spending reductions elsewhere.) Other folks want us to fund more research if we can find a way to pay for it.
>
> No one has written me yet, though, to ask what might be the best question: Do we really need government research at all? Do we really need government funded research at all?

In his statement, he goes on to ask questions that many have asked about what we are seeing in Brazil, as opposed to other countries affected by Zika. But that is exactly why you do the research. It is not for a Member of Congress to referee how much money should go to CDC and play amateur scientist. We have expert agencies. The CDC did an extraordinary job, not just on Zika but on Ebola. They have done extraordinary work over the decades in keeping people safe. If he is saying there are some scientific mysteries remaining around Zika, that is absolutely true. That is why we need to give the CDC and the National Institutes of Health money to try to figure this out. Those questions are the very reasons we need government-funded research, not an excuse to get rid of it.

I want to be clear as to why this matters so much. I am not trying to catch him saying something that is a little off. There is a foundational, bipartisan consensus around public health research, and the person who has been nominated to run the Federal budget doesn't appear to believe in that research. This isn't just out of the political mainstream. People will die if he implements his point of view.

Look at some of the diseases where government-funded research has had a significant impact on saving lives: Ebola, HIV/AIDS, malaria, polio, to name a few. We have made the advances we see today because the government stepped in and invested in the research, and that has to continue.

Right around the time we debated funding for Zika, I visited the Centers for Disease Control and Prevention, or CDC, in Atlanta to learn more about their efforts to combat Zika, dengue, and other diseases. I left Atlanta feeling totally confident that the CDC will help our country with challenges like Zika. Millions of Americans are counting on the government to maintain that confidence. But that can happen only if CDC has the strongest funding possible so they can continue to do their good work.

Taking money away from the Prevention and Public Health Fund would strip the CDC and other important agencies of the funds they need to protect our country from within and from without. That is what happened in Congress. The legislative branch did not fully step up to the plate and do its job in addressing Zika. Because of that, we forced the Obama administration to pull money from the CDC to address Ebola or from States to address other public health risks. Doing so disrupted public health infrastructure planning across the world that we still need to make sure that Ebola never ravages communities again.

Regardless of your side of the aisle, we can all agree this is the one thing that government has to do; that is, to keep us physically safe. Investing in CDC and other agencies that protect our citizens from diseases shouldn't depend on your philosophy of government. Unless you believe in, literally, no government, this is money well spent. This is the kind of thing the government does. We cannot walk away from our country's legacy of funding good research that saves lives, but that is exactly what Congressman MULVANEY suggests we do.

He has also made deeply disturbing comments about the science behind climate change. There can be no doubt that climate change is real, that it is caused by humans, and that we have a responsibility to take action. We ignore the science that shows us this at our own risk, and it is a risk our country cannot take.

The fourth and final issue I want to touch upon is healthcare—specifically, Medicare and Medicaid. I am a little worried that people feel reassured because of the rhetoric they heard last year from the President. He did reassure his voters that he was going to save Medicare and Medicaid and protect it from cuts. He promised several times that he wouldn't make any cuts whatsoever to Medicare and Medicaid. But when a Senator reminded Congressman MULVANEY about this during his confirmation hearing, he did not say he would support the administration's promises to the American people. He said that he would advise the President to break that promise. He said that he would advise President Trump to break his campaign promise and change Medicare and Medicaid. Why are we voting for this person? He said that he would advise the President to break the promise and change Medicare, Medicaid, and Social Security.

He wants to cut Medicaid—a program that millions of people rely upon. More than 50 years ago, when Medicaid was created, Congress made a really smart decision and designed the program so that if and when healthcare costs rise or the economy starts to struggle, Medicaid would be there for the American people, no matter what. Now the counselor to the President says that as part of the ACA replacement plan, Medicaid will be converted to block grants.

I worry a little bit about the phrasing ''block grants'' because that doesn't sound that bad. I used to work in the not-for-profit sector. I like grants, and I used to pursue Community Development Block Grants, Community Services Block Grants. I like grants; I like Medicaid. I am not sure whether ''block'' means anything positively or negatively, but I want everybody to understand what block-granting Medicaid means: It means cutting Medicaid. That is exactly what it means. It is a euphemism. People in this administration and people nominated to be part of this administration share that view, and they have a long history to back it up.

The term ''block grants'' is a euphemism. It is not quite a lie, but it is a way to describe something so that you don't know what it is. They are calling it a block grant because they don't want to say they are cutting Medicaid. That is what they are doing; they are going to cut Medicaid, and these cuts will hurt millions of people. They will hurt working families.

Everybody understands Medicaid is there for the economically indigent, in the case of an emergency. But the thing that people also don't realize—and that is a really important aspect of that program—but it is also really important for nursing home care. That is not just an issue for people who are down on their luck financially or while they are young or while they are parents. When people get older, it is really difficult to afford nursing home care. For most people who are not extraordinarily wealthy, Medicaid is the way to handle nursing home care. It is reimbursable.

I know that nursing home care in Hawaii costs $8,000, $9,000 a month. I don't know anybody who can run through $8,000, $9,000 a month for very long. I know a couple of people, but most people I know can't do that without Medicaid. Certainly, Medicaid is an issue that affects the very poor, but it also affects the rest of us. It affects people who aren't just lying on a pile of cash to take care of their grandmother or their mother or their father or their spouse when they are in their golden years.

These cuts will hurt women who need Medicaid for maternal health services, as well as seniors and people with disabilities. These people have nowhere else to turn. Medicaid is their only option.

Some people point to expanded local control as a reason to move forward with block grants. That is just nonsense. They are basically going to flatten out or cut the amount a State gets, and then they can sit there and divide up an increasingly smaller pie. I am not sure if that is even a euphemism. That is just nonsense. That will not help any State to meet their needs. That is why Republican Governors—anybody with responsibility for actually governing, delivering services to their constituents—don't want to cut Medicaid. They don't want to reduce Medicaid expansion under ACA, and they certainly don't want a block grant because they know what that will mean. Even if you are a fiscal conservative, if you are in charge of a State, you understand exactly what is going to happen to your constituents if Medicaid is cut.

This is another instance of a party that promised not to touch Medicaid. But here we are, debating a nominee to lead the OMB who wants to make cuts to this program. This is a deal breaker for me and for many others, and it will be a disaster for millions of Americans. That is why today we have to stand up for seniors, for women, for children and fight any cuts to Medicaid. That starts with voting no on this nomination.

I have heard about Congressman MULVANEY from hundreds of people from the State of Hawaii. I want to share a few of the messages that I have received from people in Hawaii.

Here is what one man from Oahu wrote:

> As a researching scientist, I recognize the very significant damage these appointees will have on US health and competitiveness in the world.
>
> A break in research funding, or politically-directed and censored research, impacts long term research. A brief hiatus can result in many years set-back of programs and resulting societal benefits.

A woman from Volcano Village on the Big Island sent me this message:

> [This administration's] agenda lies in [the] nominees for the department of Health and Human Services and the Office of Management and Budget who have spent their congressional careers trying to destroy [Social Security, Medicare, and Medicaid].

Another woman wrote me with this:

> [The] nominees for HHS and OMB are walking disasters for the department they'd lead.
>
> Both have spent their congressional careers trying to destroy [Social Security, Medicare, and Medicaid]. Oh, yes, and the ACA/Obamacare, which has proven to be resoundingly popular.

We are hearing from so many people on these issues because they understand how this works. They understand that personnel is policy. You don't get to say you are for protecting Social Security, and then vote for someone who wants to eliminate Social Security as we know it. You don't get to say you are for protecting Medicare and Medicaid, and then vote for someone who has dedicated their career to eliminating or at least seriously undermining this program.

If you want to increase the Social Security retirement age, then this is your nominee. If you aren't opposed to seeing our country go through a series of precipices with the shutdown of the Federal Government—from the huge drops in the market to the closing of our National Parks—then this is your nominee. If you think Federal investments in public health, disease control, and prevention should be eliminated, then this is your nominee. If you want to see cuts to Medicare and Medicaid by 25 percent or more, then vote yes.

But if, like me, you know that this is not the right approach to governing, that this is not how we should go about caring for our people and preparing for the future, then you need to vote no.

At the end of the day, the leader of the Office of Management and Budget will need to understand how to build a budget for our country and make sure U.S. Government agencies have the resources they need to pursue the mission. This person will need to understand why diplomacy matters, why Medicare and Medicaid matter, why job training and education programs matter, and why financial and fiscal stability matters. Ultimately, he needs to know that government matters and that it can make a difference in people's lives. It determines how bright tomorrow can be for our kids and grandkids and how safe of a world we can create for them.

Congressman MULVANEY does not have that record or a confirmation hearing record that can convince any of us that he understands the potential we all have—the obligation we have—to make the right investments that reflect who we are and the future that we want as a country. That is why I will be voting no on this confirmation, and I urge my colleagues on both sides of the aisle to join me.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HIRONO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, the Director of the Office of Management and Budget, or OMB, is probably the most powerful Federal job that most Americans have never heard of. If you were to ask five out of five regular people whether they have even heard of the Office of Management and Budget, or its importance, I would say that probably five of them would say: I have never heard of it; what do they do?

The Director of OMB has broad discretion to develop Federal regulations and to set spending priorities across the government—spending priorities across the government. I think we should make sure that this person actually cares about service to the people of America.

For example, if the Defense Department needs more resources for our troops, OMB has to sign off. If the Environmental Protection Agency wants to protect our communities from air and water pollution, OMB has to sign off. If the President wants to cut Social Security, Medicare, and Medicaid under the guise of ''saving money,'' the OMB Director is responsible for implementing the policy.

Given the tremendous power invested in this position, the next OMB Director should, at a minimum, believe in the

central government functions he or she will be tasked to carry out. That is why I strongly oppose the nomination of Congressman MIKE MULVANEY to serve as the next Director of the Office of Management and Budget.

Congressman MULVANEY came to Washington at the very right fringe of the tea party wave in 2010. Since then, he has consistently pursued policies that would be disastrous for our economy, for the most vulnerable members of our society, and for America's seniors—our kupuna.

Congressman MULVANEY has been one of the strongest proponents for privatizing and voucherizing Medicare and dismantling Medicaid during his time in Congress. In 2011, while explaining his support for the draconian, really terrible Republican budget that would have destroyed the social safety net and gutted funding for nearly every domestic program—nearly every domestic program and you can imagine the thousands and thousands of domestic programs people across the country are relying upon—Congressman MULVANEY said:

> Two nights ago, there was a group of Republicans in the House of Representatives who voted to dramatically overhaul Medicare and Medicaid and lightning did not strike us. If that is not a sign that maybe things can be different around here, I don't know what is. So I'm hoping that—I hope we have that exact debate over the course of the next year.

Let me be clear. Congressman MULVANEY was gloating over a bill that would be devastating to millions of seniors and Americans on Medicaid and Medicare. If confirmed, Congressman MULVANEY would not just be one extremist in the House of Representatives; he would be the person—the one person—responsible for developing, rolling out, and implementing the President's budget and his priorities.

With this power, he would be in a position to fulfill his heart's desire—all of the things he worked on as a member of the tea party and a Member of the House of Representatives. He could destroy programs like Medicare and Social Security, which more than 200,000 seniors in Hawaii and tens of millions across the United States depend on every single day. There are things we can do to fight back.

Last month, I fought alongside my friend and colleague from Indiana, Senator JOE DONNELLY, to prevent Congressman MULVANEY and the Trump administration from using budget gimmicks to privatize Medicare and cut funding from Medicaid. While our amendment was defeated in a very close vote, I was encouraged that two of our Republican colleagues—Senator DEAN HELLER of Nevada and Senator SUSAN COLLINS of Maine—voted in favor of my amendment.

This vote demonstrated that there is bipartisan opposition to balancing the budget on the backs of our seniors. This is exactly what Congressman MULVANEY wants to do. He has called Social Security a Ponzi scheme. Ponzi schemes are illegal, but he calls Social Security—a program that millions and millions of people throughout our country rely upon—a Ponzi scheme and supports raising the eligibility for it to 70 years old.

When he was in the South Carolina legislature, he even supported a bill that said that Social Security was unconstitutional. I would say even the most conservative person would not deem Social Security to be unconstitutional, but that is the kind of position that Congressman MULVANEY takes. His positions on Medicare, Medicaid, and Social Security are enough to disqualify him from serving as OMB Director.

We do not need an ideological flamethrower like Congressman MULVANEY at the helm of OMB. Sadly, there is more. Congressman MULVANEY is a debt limit denier. To demonstrate the point, I wish to read his response to a question he received from the Budget Committee:

> I do believe that defaulting on America's debts would have grave worldwide economic consequences. I do not believe that breaching the debt ceiling will automatically or inevitably lead to that result.

Not only is this statement wrong, but it contradicts itself. I was in the House in 2011 when Congressman MULVANEY and his colleagues played political games with the debt limit. I can tell you that the stock market did not agree with his assessment that there wouldn't be an immediate negative impact.

Here is what happened over the course of a week. The stock market lost $1 trillion in value—$1 trillion in value. Standard & Poor's downgraded the U.S. credit for the first time in our country's history.

The Government Accountability Office later found that the standoff increased our borrowing costs by $1.3 billion, which Congressman MULVANEY and his Republican allies were all too happy to pass along to the American taxpayers to pay.

Congressman MULVANEY's record clearly demonstrates why he is unfit to serve as the Director of the Office of Management and Budget. He wants to balance the budget on the backs of seniors and other vulnerable communities. He believes in governing from fiscal crisis to fiscal crisis. It isn't even clear if he supports the mission of the department he has been nominated to lead.

Congressman MULVANEY joins a list of nominees—many of them confirmed at this point, sadly—ranging from an Education Secretary who does not believe in public education to a Secretary of Health and Human Services who wants to basically dismantle Medicare, Medicaid, and Social Security not far behind.

I ask my colleagues, when does this long list of nominees come to a stop? I say, at the very least, someone with the power of the Director of OMB is where we should be drawing the line, unless we want one who thinks that defaulting on our national debt is not a problem, unless we think that hurting millions and millions of seniors on Social Security and Medicare is not a problem.

I feel as though Congressman MULVANEY perhaps has not encountered enough people in his time in public service who have come to him to share their stories of the devastation that would come into their lives if these safety net programs were not there for them. I feel as though maybe if they have come to talk to him, he hasn't listened very well.

I encourage my colleagues to hold the line at this point and to oppose this nomination. Congressman MULVANEY is not the person for OMB.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, we are considering the nomination of Congressman MULVANEY to become the Director of the Office of Management and Budget. In the context of the review of this nomination, there has been a lot of talk about Congressman MULVANEY being a ''straight shooter.'' I do appreciate his courtesy meeting with me and his participation in our Budget Committee confirmation hearing last month, but I have to say that his 6-year record in the House of Representatives makes it completely impossible for me to vote for him as our Nation's chief budget officer.

He may be a straight shooter, but he shoots straight at the wrong targets. One of them is the credit of the United States of America. In the House of Representatives, Congressman MULVANEY repeatedly put our economy in jeopardy by voting to let the Federal Government default on its obligations. He had an opportunity after his nomination, when he came before the Budget Committee, to pivot to a more mainstream and responsible position, but he refused. In an answer to a prehearing question he said:

> I do believe that defaulting on America's debts would have great worldwide consequences. I do not believe that breaching the debt ceiling will automatically or inevitably lead to that result.

Well, if you breach the debt ceiling, and if you honor the debt ceiling law, that means that our government would not have the money to pay all of its bills. Something has to be defaulted on or the debt ceiling is a complete chimera.

Mr. MULVANEY's completely unsupported faith that a default on some of our Nation's obligations might not have grave consequences ignores basic economics, and it ignores the guidance

of liberal and conservative economists and experts alike, including Douglas Holtz-Eakin, Benjamin Bernanke, Hank Paulson, Janet Yellen, Jack Lew, and many, many others.

In fact, many of my Republican colleagues in this room were gravely concerned about what happened if we blew through the debt ceiling, and that we perhaps had made a bet we would be unable to pay. To put it simply, lenders tend to charge more for riskier loans, and a borrower that won't pay all of its bills on time is riskier than one that does.

Tom Donahue of the U.S. Chamber of Commerce is not someone that I ordinarily cite favorably here in the Senate. He is an inveterate enemy on doing anything on climate change. He and I disagree on a great number of issues, but even Tom Donahue noted that a small increase in treasury rates, which would happen as the result of a default, ''would translate into hundreds of thousands of jobs lost every year.''

A member of the self-styled ''shutdown caucus,'' Mr. MULVANEY chooses to ignore the fact that his fiscal brinkmanship has already cost the American people. Playing around with the debt ceiling and shutting down the government are not free exercises. According to the Wall Street firm Standard and Poor's, the 16-day government shutdown that the Congressman helped orchestrate in 2013 cost the American economy $24 billion. That is shooting straight at our economy just to prove a political point. That is not the kind of straight shooter that we need. Of course, that doesn't even mention the unnecessary stress that the shutdown caused for millions of government contractors who weren't sure they would be paid. There is pain and there is damage from the reckless decisions that Congressman MULVANEY seems to make so easily.

Congressman MULVANEY's blind faith is not limited to economics. He disregards science too. In response to questions I asked him at the hearing, he said he is not convinced by the evidence presented that climate change is at least partly driven by human activity. Well, he ought to take a little look at what is going on at his home State university, the University of South Carolina, which has the School of the Earth, Ocean, and Environment. It actually teaches climate change. The University of South Carolina doesn't just believe climate change; it teaches it. It has a faculty who are involved in teaching the students about what is happening in our atmosphere and in our oceans as a result of climate change.

This is not all that complicated stuff. We have known since President Lincoln was riding around Washington in his top hat that greenhouse gases in the atmosphere would catch heat in the atmosphere and would warm the Earth. That was a scientist named Tyndall. This is not news; this is 150 years old. It is simple, elemental chemistry, what happens when you ramp up the level of CO_2 in the atmosphere and how that works in the oceans. The CO_2 gets absorbed by the oceans. The oceans, as a result of absorbing CO_2, become more acidic. What we are seeing now is the acidification of the ocean in the experience of humankind—indeed, in probably like 100 times the experience of humankind. You have to go back 50 years to find a similar rate of acidification of the ocean.

Well, Mr. MULVANEY represents South Carolina. South Carolina is a coastal State. It is an ocean State. The University of South Carolina studies its oceans. They know ocean acidification is happening. When the Congressman says that he is not convinced by the evidence presented, something other than being a straight shooter is going on.

According to NASA, for instance, the National Aeronautics and Space Administration—which, by the way, right now is driving a rover around on the surface of the planet Mars. So can we perhaps stipulate that the scientists at NASA know what they are talking about? No other country in the world, no other society in human history has had the capacity to launch from Earth a rover, fly it through space to Mars, land it safely on that other planet, and drive it around. We can do that. NASA scientists did that. So when NASA scientists say that ''multiple studies published in peer-reviewed scientific journals show that 97 percent or more of actively publishing climate scientists agree climate-warming trends over the past century are extremely likely due to human activity''—so essentially all the experts agree.

His home State university, the University of South Carolina, teaches this. They don't just listen to it, they teach it. They understand what is going on. But MULVANEY says he is not convinced. What is it going to take to convince him? How can you be a straight shooter when you ignore this kind of certainty in science, particularly when around this building you see the circling menace of the fossil fuel industry always with its guns out, always trying to shoot down anybody who will disagree with them, always trying to pretend that climate change isn't real, always trying to defend a $700 billion-a-year subsidy that they get at the expense of the rest of America? And because, thanks to Citizens United, they have the capacity to spend enormous, unlimited amounts of money in politics, they can spend a great deal to protect that $700 billion in subsidies, and they do.

So we do nothing about climate change here. You can't get a Republican to talk seriously about climate change here. The oceans are changing off of their States, and they won't talk about climate change here. Their universities are saying that climate change is real. Their universities are teaching that climate change is real. And they won't say one thing about climate change here. And this so-called straight shooter is going to go along with that racket rather than listen to his home State universities and to the scientists at NASA, who have put the rover on Mars? Give me a break.

While this man claims to be a deficit hawk, I asked him if he was ready to take on the hundreds of billions of dollars that go out the back door of our economy in tax breaks, in wasteful tax loopholes, in tax benefits for special interests, and he wouldn't give me a straight answer to the question.

From his record in the House, it appears pretty clear that Mr. MULVANEY would rather balance the budget by going after seniors, by going after Social Security, by going after Medicare, by going after the families who have children on Medicaid because their children have lifetime disabilities that require Medicaid support. Those are the targets. That is who this so-called straight shooter wants to shoot at. But as for, say, the tax benefit that lets billionaires depreciate their private jets faster than the airline can, oh, no, can't touch that. As for the tax loophole that lets carried interest Wall Street billionaires pay lower tax rates than their doormen, than their janitors, oh, no, can't possibly touch that. As for the subsidies we give through the Tax Code to the fossil fuel industry every year when they are the most lucrative corporations in the history of the planet, oh, no, we can't possibly do that. Let's go after the old folks. That is not being a straight shooter; that is shooting at the wrong people.

Someone who is a straight shooter when it happens to agree with the politics that they like but is a flatout denier when it doesn't, that is not my idea of a straight shooter.

Congressman MULVANEY is possessed by conservative ideology that I strongly believe is going to prevent him ever from working across party lines on the budget, on health care, or on other major issues that he will have to face at OMB. His counsel is likely to pull President Trump further out to the extremes, which already divide this country.

And by the way, to all of those voters who voted for President Trump because he said that he was different from all the other Republican candidates; that he was different from the other 15 candidates because he wasn't going to hurt Social Security and he wasn't going to hurt Medicare; that he was different from all the others because he was going to protect Social Security and he was going to protect Medicare—folks, I think you were sold a bill of goods because when you look at Congressman PRICE and when you look at Congressman MULVANEY and when you look at their records, you see the records of people who have targeted Social Security and targeted Medicare for years. They may be straight shooters, but they have Social Security and Medicare in the crosshairs. Those are not the right targets for us to be shooting

at in a tax system that is riddled with special interest loopholes and in a country that is so divided and where the poor and the elderly are struggling compared to the people who are at the very top, who have basically gathered all of the economic benefit of our growth since the great recession.

So, for all of those reasons, I will be completely unable to support this person's confirmation. I am sorry because I would like to have seen the President make the slightest gesture in the direction of bipartisanship, the slightest gesture in the direction of compromise, the slightest gesture in the direction of reasonableness, but out of this White House, on the civilian Cabinet, we have seen nothing like that.

It is a Cabinet that is completely controlled by rightwing ideology and appalling special interests. Usually, the special interests are the most dangerous and worst special interests that the agency has to regulate. Instead of accepting that as the agency's responsibility, he has brought that special interest in, brought the fox into the henhouse. If there was ever a fox in the OMB henhouse to take our Social Security folks and our Medicare folks and hurt them, it is this Congressman.

I cannot accept his nomination. I will vote against it.

I yield the floor.

LEGISLATIVE SESSION

MORNING BUSINESS

The PRESIDING OFFICER (Mr. SCOTT). Under the previous order, the Senate will be in a period of morning business.

SOCIAL SECURITY ADMINISTRATION RULE

Mr. SCHUMER. Mr. President, I rise to speak on the potential repeal of the Social Security Administration's rule that helps keep guns out of the hands of those with a severe mental illness. I voted no.

First, I want to point out that this rule only addresses a shortcoming in the existing background check law that Congress passed legislation to address. We use the National Instant Criminal Background Check system to prevent criminals and the adjudicated mentally ill from purchasing firearms.

In order for the FBI to have access to all the data they need to run those background checks, Congress passed the NICS Improvement Act in 2007—in bipartisan fashion, signed into law by President George W. Bush, hardly a gun safety activist—to instruct Federal agencies to send information to the NICS system about criminal records and mental illness.

This rule at the Social Security Administration is simply implementing that bipartisan law.

Second, let me underscore the point, this rule only applies to those who have severe mental health disorders, like schizophrenia. These are folks who, because of their disorder need assistance managing their own affairs and are so severely impaired that they cannot hold down a full-time job. It simply requires the Social Security Administration to pass that data on to the NICS background check system so the FBI can stop gun sales to the seriously mentally ill.

It doesn't get much more common sense than that.

Frankly, I find it absurd that the Republicans have chosen to repeal this rule as one of their first priorities in this Congress.

Does the Republican majority really think it is wise, as my colleague from Connecticut asked, that folks who are so severely mentally ill that they cannot work and require assistance managing their finances should be assumed to be able to responsibly own and protect a gun?

Mental illness is a serious topic. We have debated it many times in this body—how to better provide for treatment, how to decrease the stigma surrounding it—but I don't remember the part where we debated whether it was wise or not to allow folks with a severe, almost incapacitating, mental illness to easily purchase a gun.

Gun violence takes far too many lives each year. At the very, very least, we should be doing all that we can to prevent criminals, potential terrorists, and the adjudicated mentally ill from purchasing firearms; yet Republicans consistently line up behind the NRA to block or repeal policies that would do those things—even though 8 or 9 out of every 10 Americans supports them, though a vast majority of gunowners support them.

Whenever Republicans talk about gun violence, they say, ''Let's enforce the laws on the books!'' Well, as I mentioned, this regulation does just that; it implements the bipartisan 2007 NICS Improvement Act that Republican President George W. Bush signed into law.

Today, Republicans are calling their own bluff; they are not interested in enforcing the laws on the books—they just want to repeal them, even when that puts innocent American lives at risk.

If Republicans have a problem with this rule, they should have pushed the Social Security Administration to modify it, rather than repealing it outright and blocking any similar rulemaking on the subject, which is what this CRA would do.

Thank you.

NOMINATION OF SCOTT PRUITT

Ms. COLLINS. Mr. President, after careful consideration, I have decided to oppose the confirmation of Scott Pruitt, the nominee for Administrator of the Environmental Protection Agency, EPA. I have met at length with Mr. Pruitt, who is an accomplished attorney with considerable knowledge about environmental laws. We discussed many important environmental issues about which I care deeply—from EPA's enforcement of landmark environmental laws, including the Clean Air Act and the Clean Water Act, to climate change and the Clean Power Plan, to protections from harmful pollutants such as lead and mercury. I also have reviewed testimony from his confirmation hearing.

In keeping with my past practice, regardless of which party is in the White House, I will vote for cloture on his nomination so that every Senator can have a clear, up-or-down vote on this important nomination of a member of the President's Cabinet. But I will vote no on Mr. Pruitt's confirmation.

The fact is Mr. Pruitt and I have fundamentally different views of the role and mission of the EPA. That does not mean that I agree with every regulatory action that EPA has taken. At times, the Agency has been difficult to work with and unresponsive to bipartisan congressional concerns, but the EPA plays a vital role in implementing and enforcing landmark laws that protect not only our environment but also public health.

Specifically, I have significant concerns that Mr. Pruitt has actively opposed and sued EPA on numerous issues that are of great importance to the State of Maine, including mercury controls for coal-fired power plants and efforts to reduce cross-State air pollution and greenhouse gas emissions. His actions leave me with considerable doubts about whether his vision for the EPA is consistent with the Agency's critical mission to protect human health and the environment.

The State of Maine, located at the end of our Nation's ''air pollution tailpipe,'' is on the receiving end of pollution generated by coal-fired power plants in other States. Reducing harmful air pollutants is critical for public health, particularly for Maine, which has among the highest rates of asthma in the country. Controls for mercury, one of the most persistent and dangerous pollutants, are especially important for children and pregnant women. Moreover, there is no doubt that the greenhouse gas emissions driving climate change pose a significant threat to our State's economy and our natural resources, from our working forests, fishing, and agricultural industries, to tourism and recreation.

The opposition to the nominee expressed by Friends of Acadia is grounded in concerns about the importance of emissions reductions for lessening the impacts of climate change that affect this gem of a national park. The changes we are already seeing in the aquatic life in Casco Bay and the Gulf of Maine, for example, are cause for alarm. The incidence of Lyme disease in northern Maine and high asthma rates throughout the State are also linked to environmental changes that threaten the health and well-being of too many Maine people.

These are among the reasons why I have voted to uphold the EPA rule governing mercury and air toxics standards from coal-fired power plants and the cross-State air pollution rule, as well as the Clean Power Plan to limit carbon pollution from existing and new fossil fuel-fired power plants.

I reject the false choice of pitting the environment against the economy because, for much of the State of Maine, the economy and the environment are inextricably linked. A strong commitment to protecting the health of our Nation's environment is critical for protecting Maine's natural beauty, the State's economy, and the health of those of us fortunate enough to call Maine home.

Due to my concerns about Mr. Pruitt's commitment to the mission of the EPA, I will cast my vote in opposition to his confirmation.

75TH ANNIVERSARY OF THE U.S. NAVY SEABEES

Mr. COCHRAN. Mr. President, today I wish to pay tribute to the U.S. Navy Construction Battalion, also known as the SeaBees, and congratulate them on their 75th anniversary. It was March 5th, 1942, when the SeaBees were charged by the Navy with the task of building, maintaining, and supporting base infrastructure in remote locations for the Navy and Marine Corps. SeaBees execute this critical mission, while also maintaining the capability to engage in combat operations.

For 75 years, the SeaBees have met challenges in times of war and peace. They have been deployed all over the world, contributing to our national security interests by constructing military bases, building airfields, roads, bridges, and even underwater structures. In every major operation our Nation has carried out, from World War II to present operations in Iraq and Afghanistan, the Navy SeaBees are there, demonstrating unmatched courage, strength, and professionalism. Their personal sacrifices are a testament to the dedication of the Navy's elite construction force.

As we honor the SeaBees today, let us not forget to acknowledge the many sacrifices their families have made throughout their 75 years. Whether at home or abroad in the more than 30 countries to which they deploy, it is the support of their families that enables the brave men and women of the SeaBees to accomplish their mission with the utmost devotion to duty, honor, and country. I am proud that Gulfport, MS, serves as home to the Naval Construction Battalion Center, where more than 12,500 SeaBees, sailors, airmen, and soldiers have received valuable training this past year alone.

We congratulate the U.S. Navy SeaBees on their 75th anniversary and reaffirm our commitment to them.

TRIBUTE TO ROSE ILES FEALY

Mr. THUNE. Mr. President, today I wish to recognize the hard work of my Commerce, Science, and Transportation Committee intern Rose Iles Fealy. Rose hails from Perth, Western Australia, where she studies political science at the Australian National University.

While interning on the Commerce Committee, Rose has assisted the Consumer Protection, Product Safety, Insurance, and Data Security Subcommittee. Following her internship, Rose intends to pursue law school. I extend my sincere thanks and appreciation to Rose Iles Fealy for all of the fine work she has done for the committee and wish her continued success in the years to come.

ADDITIONAL STATEMENTS

RECOGNIZING PIMENTEL & SONS GUITARMAKERS

• Mr. HEINRICH. Mr. President, it is an honor to join musicians and music lovers in recognizing Albuquerque's Pimentel family for their 65 years of building handcrafted instruments that are sought after by guitar players and collectors around the world.

Pimentel & Sons is a successful family-owned small business that was started from scratch and has been sustained with innovation, hard work, and a commitment to excellence.

As the ranking member on the Joint Economic Committee, I am proud to recognize successful entrepreneurs and small business owners like the Pimentels.

Lorenzo Pimentel learned the craft of building guitars as a teenager in Ciudad Juarez. After marrying his wife, Josefina, Lorenzo moved his family to Albuquerque after falling in love with the Sandia Mountains. Over his lifetime, Lorenzo Pimentel accumulated an incredible list of accolades for his guitars.

Four of Lorenzo's sons, Agustin, Ricardo, Roberto, and Victor, have continued their late father's work as master guitar makers in their own right. They have each played an integral role in shaping New Mexico's music scene for decades.

Pimentel & Sons has earned the Hispanic Heritage Month Distinguished Honor Award, the Governor's Award for Excellence and Achievement in the Arts, and an invitation to the Smithsonian Institute's Festival of American Folklife.

In 2009, Governor Bill Richardson signed a bill designating Pimentel's Sunrise model as the official State guitar of New Mexico.

Generations of musicians have played and appreciated the world-renowned Pimentel guitars that capture the spirit and culture of New Mexico.•

MESSAGES FROM THE HOUSE

At 10:59 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 428. An act to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res 23. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

ENROLLED BILLS SIGNED

At 4:40 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 255. An act to authorize the National Science Foundation to support entrepreneurial programs for women.

H.R. 321. An act to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

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. WHITEHOUSE (for himself, Mr. COTTON, Mr. NELSON, and Ms. MURKOWSKI):

S. 379. A bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis; to the Committee on Finance.

By Mr. PETERS (for himself, Ms. STABENOW, Mr. DONNELLY, Mr. REED, Mrs. FEINSTEIN, and Mr. BROWN):

S. 380. A bill to amend the Securities Exchange Act of 1934 to require the disclosure of the total number of the domestic and foreign employees of a company, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mrs. ERNST, and Mr. LEAHY):

S. 381. A bill to repeal the Act entitled ''An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation''; to the Committee on Indian Affairs.

By Mr. MENENDEZ (for himself, Ms. MURKOWSKI, Mr. RUBIO, Ms. KLOBUCHAR, Mr. MARKEY, Mr. BLUMENTHAL, Mr. DAINES, Mr. BOOKER, Mr. FRANKEN, Mr. SCHUMER, Mr. MCCAIN, Mrs. GILLIBRAND, and Mr. TESTER):

S. 382. A bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. WARNER, Mrs. SHAHEEN, Mr. PORTMAN, and Mr. MERKLEY):

S. 383. A bill to coordinate the provision of energy retrofitting assistance to schools; to the Committee on Energy and Natural Resources.

By Mr. BLUNT (for himself, Mr. CARDIN, Mr. SCHUMER, and Mrs. GILLIBRAND):

S. 384. A bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mrs. SHAHEEN, Mr. COONS, Mr. WICKER, Mr. FRANKEN, Ms. COLLINS, Mr. MANCHIN, Mr. BENNET, Mr. WARNER, Ms. HEITKAMP, and Mr. HELLER):

S. 385. A bill to promote energy savings in residential buildings and industry, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LANKFORD (for himself, Mrs. FISCHER, Mr. CRUZ, and Mr. INHOFE):

S. 386. A bill to amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund; to the Committee on the Judiciary.

By Mr. PERDUE (for himself, Mr. DAINES, Mr. INHOFE, Mr. ENZI, Mr. BARRASSO, Mr. TILLIS, Mr. PAUL, Mr. ISAKSON, Mr. LEE, Mrs. ERNST, Mr. RUBIO, Mr. JOHNSON, Mr. KENNEDY, Mr. FLAKE, Mr. BOOZMAN, Mr. HOEVEN, and Mr. CRUZ):

S. 387. A bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:

S. 388. A bill for the relief of Maha Dakar; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. GARDNER):

S. 389. A bill to amend the Internal Revenue Code of 1986 to ensure that kombucha is exempt from any excise taxes and regulations imposed on alcoholic beverages; to the Committee on Finance.

By Mr. HEINRICH (for himself and Mr. UDALL):

S. 390. A bill to withdraw certain Bureau of Land Management land from mineral development; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 391. A bill to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KAINE (for himself, Mr. WARNER, Mr. BOOKER, and Mr. BLUNT):

S. 392. A bill to establish the 400 years of African-American History Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCOTT (for himself and Mr. BOOKER):

S. 393. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs; to the Committee on Finance.

By Mr. ROUNDS (for himself, Mr. THUNE, Mr. INHOFE, Mr. CRAPO, Mr. LANKFORD, Mr. RUBIO, and Mr. GRAHAM):

S. 394. A bill to amend chapter 44 of title 18, United States Code, to provide that a member of the Armed Forces and the spouse of that member shall have the same rights regarding the receipt of firearms at the location of any duty station of the member; to the Committee on Armed Services.

By Mr. WYDEN:

S. 395. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. RUBIO, Mr. MORAN, and Mr. MANCHIN):

S. 396. A bill to make technical amendments to certain marine fish conservation statutes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ISAKSON (for himself, Mr. WARNER, Mr. ALEXANDER, Mr. BROWN, Mr. SHELBY, and Mr. KAINE):

S. 397. A bill to amend title XVIII of the Social Security Act to ensure fairness in Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals; to the Committee on Finance.

By Mr. NELSON:

S. 398. A bill to direct the Secretary of the Army to provide for modification of certain Federal water resources development projects on the Apalachicola, Chattahoochee, and Flint Rivers, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COONS (for himself, Ms. COLLINS, and Mr. DAINES):

S. 399. A bill to establish the United States Chief Manufacturing Officer in the Executive Office of the President with the responsibility of developing a national manufacturing strategy to revitalize the manufacturing sector, spur economic growth, and expand United States competitiveness, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY:

S. 400. A bill to establish the Susquehanna National Heritage Area in the State of Pennsylvania, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MANCHIN (for himself, Mrs. CAPITO, Mr. CARDIN, and Mr. VAN HOLLEN):

S. 401. A bill to establish the Appalachian Forest National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. 402. A bill to direct the Joint Committee on the Library to enter into an agreement with the Harriet Tubman Statue Commission of the State of Maryland for the acceptance of a statue of Harriet Tubman for display in a prominent location in the United States Capitol; to the Committee on Rules and Administration.

By Mr. HATCH (for himself and Mr. RUBIO):

S. 403. A bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. ISAKSON (for himself and Mr. BENNET):

S. 404. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the process for inspections of device establishments for granting export certifications; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KAINE (for himself, Mr. WARNER, Mr. CARDIN, and Mr. VAN HOLLEN):

S.J. Res. 22. A joint resolution granting the consent and approval of Congress to the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCAIN:

S. Res. 61. A resolution calling on the Department of Defense, other elements of the Federal Government, and foreign governments to intensify efforts to investigate, recover, and identify all missing and unaccounted-for personnel of the United States; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 16

At the request of Mr. PAUL, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 16, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 26

At the request of Mr. WYDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 27

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 66

At the request of Mr. HELLER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 66, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 82

At the request of Mr. REED, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 82, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 94

At the request of Mr. CARDIN, the names of the Senator from Montana

(Mr. DAINES), the Senator from Indiana (Mr. DONNELLY), the Senator from Indiana (Mr. YOUNG), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Delaware (Mr. COONS) and the Senator from Texas (Mr. CORNYN) 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. 96

At the request of Ms. KLOBUCHAR, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. 96, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 184

At the request of Mr. WICKER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 184, a bill to prohibit taxpayer funded abortions.

S. 223

At the request of Ms. COLLINS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 236

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 260

At the request of Mr. CORNYN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 324

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Mr. MARKEY) 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. 372

At the request of Mr. PORTMAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of 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.

S. 375

At the request of Mr. CORNYN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 375, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 376

At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of 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.

S.J. RES. 1

At the request of Mr. BOOZMAN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 55

At the request of Ms. MURKOWSKI, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 55, a resolution recognizing February 26, 2017, as the 100th anniversary of the establishment of Denali National Park and Preserve in the State of Alaska.

S. RES. 60

At the request of Mr. DAINES, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 60, a resolution designating May 5, 2017, as the ''National Day of Awareness for Missing and Murdered Native Women and Girls''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Mr. WARNER, Mr. BOOKER, and Mr. BLUNT):

S. 392. A bill to establish the 400 years of African-American History Commission, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KAINE. Mr. President, today I am reintroducing the 400 Years of African American History Commission Act.

We are 2 years away from a key anniversary in American history. August 2019 will mark 400 years since the first documented arrival of Africans who came to English America by way of Point Comfort, VA. This historic and tragic moment, when ''20 and odd'' Africans, as it was recorded were the first recorded group of Africans to arrive involuntarily and were sold as involuntary laborers or indentured servants in the colonies. This indelible mark in American history should not pass without recognition.

During my tenure as Governor of Virginia, I presided over the 400th anniversary of the founding of Jamestown, VA, by the English colonists in 1604. Two years ago I attended the 450th anniversary of the founding of St. Augustine, FL, which celebrated Hispanic heritage. Both commemorations included activities sponsored by Federal commissions, which were voted on and passed by Congress.

Having commemorated the English and Spanish heritage of our founding, there is no reason it should be any different for the arrival and continuous presence of Africans and African Americans in the English settlements in 1619. There is no dispute that the beginning of African and African-American presence in what is now the United States was both heartbreaking and regrettable. Although in 1619 slavery was not yet an institution, the involuntary status of those first Africans was the impetus to slavery. Slavery as an institution broke up families, resulted in the deaths of thousands, and caused irreparable damage to our American psyche. And though we should never forget that period of stain on our history, slavery is not the only part of African-American history. I have had an opportunity to visit the National Museum of African American History and Culture. The museum makes a tremendous effort to tell the complete story of African Americans and it is important that we remember the whole story. African Americans have contributed to the economic, academic, social, cultural and moral wellbeing of this Nation. Their impact and influence has shaped this nation to what it is today.

So today, with my cosponsor Senator MARK WARNER, I reintroduce the 400 Years of African American History Commission Act, which would establish a commission that would plan programs and activities across the country to recognize the arrival and influence of African Americans since 1619. It is my hope the establishment of a ''400th'' commission would create an opportunity to bring continued national education about the significance the arrival of African Americans has made to the United States and the contributions that have been made since 1619. Additionally, the commission would create space to discuss race relations in America and focus on dismantling the institutional systems that have adversely hindered African American progress.

By Mr. WYDEN:

S. 395. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for

other purposes; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, today I, along with my colleagues Congressmen CHAFFETZ from Utah and CONYERS from Michigan, am introducing the Geolocation Privacy and Surveillance Act, a bill that protects Americans from seeing their phones and other devices turned into location trackers without so much as a warrant or a warning. While law enforcement agencies can and have obtained, and should obtain, probable cause search warrants from a neutral judge authorizing them to track the location of Americans, in many other cases, government agencies obtain sensitive location information without a warrant. My colleagues, Mr. CHAFFETZ and CONYERS, and I intend to fix that.

This is a situation where government agencies' use of new technology has gotten ahead of the laws in ways that would surprise many Americans. Federal, State, and local agencies routinely track Americans' locations through a variety of methods, most of the time without people knowing they are being tracked. Some tracking demands go directly from the government to phone companies. In the first 6 months of 2016, law enforcement agencies submitted at least 86,000 demands to telephone companies for subscriber location data. Some of these demands were for the records of hundreds or even thousands of customers at a time.

Law enforcement agencies also regularly track cell phones with the use of a surveillance technology known as a cell site simulator or Stingray. A recent bipartisan report by the Committee on Oversight and Government Reform in the House of Representatives found that the Departments of Justice and Homeland Security have spent more than $95 million to buy over 430 Stingrays. Although Federal agencies now obtain warrants before using this technology, many State and local agencies do not.

There is currently no uniform legal standard that regulates how Federal, State, and local law enforcement agencies are able to spy on the location of Americans. Instead, there exists a confusing patchwork of State laws, policies adopted by law enforcement agencies, and legal precedents set by Federal and State courts. As a result, Americans in one part of the country may enjoy less privacy, based on the policies adopted by their local police department, privacy laws passed by their State legislatures, or the willingness of their phone provider to push back in court, than Americans who happen to live in a privacy-superior jurisdiction. This patchwork quilt of rules and regulations has led to confusion among law enforcement, prosecutors, and service providers, who waste valuable time and resources litigating and appealing what should be clear-cut rules—clear-cut rules that start from the premise that privacy is an inviolable right, not a convenience granted by local law enforcement.

Under President Obama, there was a policy in place that required Federal law enforcement officers to get a probable cause warrant before tracking an American's location. Under the current administration, we do not yet know if this policy will remain, which makes this bill even more critical.

This bill has three main components.

First, it requires the government to show probable cause and get a warrant before acquiring the geolocational information of a U.S. person, while setting out clear exceptions such as emergency or national security situations or cases of theft or fraud. This probable cause requirement would apply to all law enforcement acquisitions of the geolocational information of individual Americans without their knowledge. This requirement will include indirect location information acquisition from commercial service providers and direct acquisitions using Stingrays and similar devices, including tracking devices covertly installed by the government. This bill would regulate both real-time tracking of a person's movements, as well as the acquisition of records of past movements.

Second, the bill creates criminal penalties for secretly using an electronic device to track a person's movements that parallel those for wiretapping. Currently, if a woman's ex-husband taps her phone, he is breaking the law. This legislation would treat hacking her cell phone to track her movements as a similar offense.

Finally, it prohibits commercial service providers from sharing customers' geolocation information with outside entities without customer consent.

Passage of this bill would provide much needed privacy protections to Americans and ensure that location data is adequately protected from warrantless surveillance by law enforcement agencies.

I thank my colleagues CHAFFETZ and CONYERS for their efforts on this bill, and I hope the Judiciary Committee will consider our proposal quickly.

By Mr. KAINE (for himself, Mr. WARNER, Mr. CARDIN, and Mr. VAN HOLLEN):

S.J. Res. 22. A joint resolution granting the consent and approval of Congress to the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission; to the Committee on the Judiciary.

Mr. KAINE. Mr. President, the National Capital Region relies on DC Metrorail. Hundreds of thousands of commuters take it every day, including the Federal workforce. Visitors use it when they come to our Nation's Capital on vacations, school trips, or events of national significance. Yet for too long, critical safety maintenance has been neglected, at the cost of countless lost hours and frustration for riders, and tragically, several fatalities.

That is why I and my colleagues from Virginia and Maryland—Senators MARK WARNER, BEN CARDIN, and CHRIS VAN HOLLEN—and our bipartisan House colleagues are today introducing this compact creating the new Metro Safety Commission. This measure is introduced in concert with the Virginia and Maryland General Assemblies and the Council of the District of Columbia, to build momentum to encourage all three jurisdictions to enact this compact as quickly as possible, to get Metro back to safe reliable operation.

After fatal incidents on Metrorail in 2009 and 2015, the Federal Transit Administration took the unprecedented step of assuming direct safety oversight over the Washington Metropolitan Area Transit Authority WMATA, stating that it would not return control until it certified that a robust safety oversight body was in place. The safety commission envisioned by this compact is that body.

There are many WMATA matters on which different stakeholders have different opinions, but everyone agrees that safety must be our top priority. Upon enactment of this compact by the three jurisdictions, I urge my colleagues to take swift action to approve this measure so that daily commuters and visitors to Washington, DC, can regain confidence that Metro will take them safely to their destinations.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 61—CALLING ON THE DEPARTMENT OF DEFENSE, OTHER ELEMENTS OF THE FEDERAL GOVERNMENT, AND FOREIGN GOVERNMENTS TO INTENSIFY EFFORTS TO INVESTIGATE, RECOVER, AND IDENTIFY ALL MISSING AND UNACCOUNTED-FOR PERSONNEL OF THE UNITED STATES

Mr. MCCAIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 61

Whereas more than 83,000 personnel of the United States are still unaccounted-for around the world from past wars and conflicts;

Whereas, though recognizing that an estimated 50,000 of these World War II personnel, were lost deep at sea and are unlikely ever to be recovered, thousands of families and friends have waited decades for the accounting of their loved ones and comrades in arms;

Whereas the families of these brave Americans deserve our Nation's best efforts to achieve the fullest possible accounting for their missing loved ones;

Whereas the National League of POW/MIA Families, and their iconic POW/MIA flag, pioneered the accounting effort since 1970 and has been joined in this humanitarian quest for answers by the Korean War, Cold War and World War II families, fully supported by the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, Jewish War Veterans, AMVETS, Vietnam Veterans of America, Special Forces Association, Special Operations Association, Rolling

Thunder, and other more recently formed groups, and thousands of families are yearning and advocating for answers concerning the fates of their loved ones and comrades in arms;

Whereas the mission of the Defense POW/MIA Accounting Agency of the Department of Defense is to provide the fullest possible accounting for missing members of the Armed Forces of the United States, designated civilians of the Department, and other designated personnel; and

Whereas the recovery and investigation teams of the Department of Defense deploy to countries around the world to account as fully as possible for these missing and otherwise unaccounted-for personnel of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) calls upon the Defense POW/MIA Accounting Agency and other elements of the Department of Defense, other elements of the Federal Government, and all foreign governments to intensify efforts to investigate, recover, identify and account as fully as possible for all missing and unaccounted-for personnel of the United States around the world; and

(2) calls upon all foreign governments with information on missing personnel of the United States, or with missing personnel of the United States within their territories, to cooperate fully with the Government of the United States to provide the fullest possible accounting for all missing personnel of the United States.

AUTHORITY FOR COMMITTEES TO MEET

Mr. ROUNDS. Mr. President, I have six 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, February 15, 2017, at 2:30 p.m. in room 253 of the Russell Senate Office Building. The committee will hold a subcommittee hearing on ''Moving America: Stakeholder Perspectives on Our Multimodal Transportation System.''

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, February 15, 2017, at 10 a.m., in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight: Modernization of the Endangered Species Act.''

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, February 15, 2017, at 10 a.m., to hold a hearing entitled ''Ending Modern Slavery: Building on Success.''

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, February 15, 2017, at 2:45 p.m. in order to conduct a hearing titled ''High Risk: Government Operations Susceptible to Waste, Fraud, and Mismanagement.''

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Wednesday, February 15, 2017, to conduct a hearing entitled ''Stopping Senior Scams: Developments in Financial Fraud Affecting Seniors''. The committee will meet in room 562 of the Dirksen Senate Office Building beginning at 2:30 p.m.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, February 15, 2017, at 10 a.m.

PRIVILEGES OF THE FLOOR

Mr. CARPER. Mr. President, I ask unanimous consent that Mike Boettcher of my personal staff have floor privileges through December 31, 2017, and Andrew J. Wishnia and Ann Marie Chaney of my Environment and Public Works Committee staff have floor privileges for the duration of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Josh Lind, be granted privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 9:16 p.m., adjourned until Thursday, February 16, 2017, at 10 a.m.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. VISCLOSKY. Mr. Speaker, on February 14, 2017, I was absent from the House and missed Roll Call Votes 88 through 92.

Had I been present for Roll Call Vote 88, on ordering the previous question, I would have voted ''No.''

Had I been present for Roll Call Vote 89, on agreeing to the resolution, H.Res. 99, providing for consideration of H.R. 428, the Red River Gradient Boundary Survey Act, and H.J. Res. 42, Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants, I would have voted ''No.''

Had I been present for Roll Call Vote 90, on ordering the previous question, I would have voted ''No.''

Had I been present for Roll Call Vote 91, on agreeing to the resolution, H.Res. 116, providing for 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 and 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, I would have voted ''No.''

Had I been present for Roll Call Vote 92, on passage of H.R. 428—Red River Gradient Boundary Survey Act, I would have voted ''No.''

PERSONAL EXPLANATION

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. WALZ. Mr. Speaker, I was absent in the House chamber for roll call votes 89, 90 and 91 on Tuesday, February 14, 2017. At the time, and at the request of the President, I was attending the swearing-in ceremony of VA Secretary Shulkin. Had I been present, I would have voted Nay on roll call votes 89, 90 and 91.

HONORING INVESTMENTS IN RECRUITING AND EMPLOYING AMERICAN MILITARY VETERANS ACT OF 2017

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 244, the Honoring Investments in Recruiting and Employing American Military Veterans Act or the HIRE Vets Act.''

H.R. 244 encourages effective, voluntary private sector investments to reciuit, employ, and retain men and women who have served in the United States military with annual presidential awards to private sector employers recognizing such efforts.

H.R. 244 directs the Department of Labor to establish a HIRE Vets Medallion Program to solicit voluntary information from employers for purposes of recognizing, by the award of a HIRE Vets Medallion, verified efforts by these employers to:

1. Recruit, employ, and retain veterans
2. Provide community and charitable services supporting the veteran community.

The President shall annually present the medallion and corresponding certificate to recipients at a time to coincide with the annual commemoration of Veterans Day.

Two levels of medallions shall be established, large and small employers, to be designated the Gold HIRE Vets Medallion and the Platinum HIRE Vets Medallion. The bill prescribes awards criteria.

Beginning two years after enactment of this bill, the Secretary of Labor shall submit annual reports on fees, program costs, the number of applications, and the medallions awarded, including the name and medallion level of each recipient.

RECOGNIZING DR. DALE McCALL

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Dr. Dale McCall on being inducted into the Colorado Agriculture Hall of Fame. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Dr. McCall has made a great impact on the agricultural industry throughout his life. He devoted 40 years to agricultural education after receiving his bachelors, masters, and Ph.D. degrees from Colorado State University. He has helped the next generation of agriculture producers through his roles as a teacher, Agricultural Education staff member, and even Executive Director of Boards of Cooperative Educational Services (BOCES).

Not only has Dr. McCall given his time to agricultural education, he also has first-hand experience working on the farm. He and his wife have grown a variety of crops including oats, wheat, and milo. He is the current president of the Rocky Mountain Farmer's Union and has received numerous awards for his various agriculture and educational achievements.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes as Dr. McCall pursues his future endeavors. His passion and dedication to the agricultural industry makes him more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Dr. Dale McCall for his accomplishments.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER MARINE SERGEANT (SGT) DONNIE LEO FORD LEVENS

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Marine Sergeant (SGT) Donnie Leo Ford Levens who paid the ultimate sacrifice while defending our great nation on February 17, 2006, during Operation Enduring Freedom. SGT Levens was killed when two CH–53E Sea Stallion helicopters crashed into the Gulf of Aden near Ras Siyyan, northern Djibouti, while on a training mission in the Godoria Range area.

SGT Levens of Long Beach, MS, was assigned to the Marine Heavy Helicopter Squadron 464, Marine Air Group 29, 2nd Marine Aircraft Wing, II Marine Expeditionary Force, New River, N.C. He was deployed to Djibouti as part of the U.S.-led Combined Joint Task Force—Horn of Africa, a counterterrorism force. SGT Levens was an Aircraft Ordnance Technician.

SGT Levens's mother Margaret and brother Matt honored SGT Levens by completing their studies at Mississippi Gulf Coast Community College in 2006. Margaret Levens said Donnie's courage inspired her to go back to school and earn a degree. President George W. Bush delivered the commencement address at the graduation ceremony held in Biloxi. President Bush praised SGT Levens for his service and sacrifice.

SGT Levens will be remembered for his courage and determination to keep America safe.

HONORING MR. RICHARD BIEDENBACH AS VETERAN OF THE YEAR

HON. BOB GIBBS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. GIBBS. Mr. Speaker, I am honored to recognize Mr. Richard Biedenbach for his achievement as Veteran of the Year for 2016 by the Greater Canton Veterans Council.

Upon his graduation from Central Catholic High School in Canton, Ohio, Mr. Biedenbach joined the Army in the 1960s, where he was stationed in Berlin, Germany at the height of the Cold War. As a photographer in West Germany, Mr. Biedenbach monitored East German activity near the border between East

and West Germany. His contributions to the effort against the Soviet Union helped advance the cause for democracy around the world.

After he was discharged from the Army at the rank of E–4 Specialist in 1963, Mr. Biedenbach dedicated his time to his fellow veterans, volunteering to transport veterans to and from the Veterans Affairs clinic in Canton. Today, he is a member of American Legion Canton Post 44, where he serves on the Burial Honor Guard.

On November 11, 2016, Richard was named Veteran of the Year by the Greater Canton Veterans Council for his selfless commitment to caring for and improving the lives of his fellow veterans.

Mr. Speaker, it is truly an honor to represent SPC Richard Biedenbach in the United States Congress. He established a patriotic example for all Americans to emulate and I am humbled to recognize Mr. Biedenbach's service to our great nation.

IN RECOGNITION OF THE DUCHESS OUTLET FOR 60 YEARS OF SERVICE TO THE GREATER PITTSTON AREA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Caprari Family of Pittston for celebrating the 60th Anniversary of their family business, the Duchess Outlet, last year on Friday, November 11. The Duchess Outlet, which began as a textile manufacturer, operates as a retail clothing outlet and seller of heirloom toys.

Established in 1956 by Sam and Theresa Caprari, the Duchess Coat & Suit Manufacturing plant was a major garment producer for northeastern Pennsylvania and employed over 150 workers. As the business grew, the Duchess opened a discount retail outlet that offered raincoats, wool jackets, leathers, and outerwear.

When Sam and Theresa retired, they handed over the business to their son Paul and his wife Paula. The Duchess Outlet expanded their inventory with suits, sport jackets, outerwear, and name-brand raincoats. The store also began carrying Madame Alexander Dolls and opened a Doll Museum. The Museum now has more than 1,000 pieces, dating from the 1930s to the present.

In addition to operating the Duchess Outlet, the Caprari family has a long record of service to their community and country. During World War II, Sam Caprari served as a military aircraft-manufacturing instructor. He was a member of the Greater Pittston Chamber of Commerce, the Lions Club, the Elks Club, and the Italian American Association. Theresa is the Vice-President of the Business and Professional Women's Club Association. She was also a member of National Federation of Independent Business and the Pennsylvania Mental Health Association.

Paul Caprari is the founder of Hear for You, a program that provides hearing aids to those who cannot afford them. Paul also serves with the Knights of Columbus Council 372 as a 4th Degree Knight. Paula Caprari has received multiple honors and awards for overseeing Duchess Outlet Doll Museum, including being recognized by the Madame Alexander Company. Julio Caprari is also a 4th Degree Knight of Columbus with Council 372. As Co-Chairman of Pittston City History Day, Julio has worked with Misericordia University and Luzerne County Agency on Aging to preserve the history of Greater Pittston.

It is an honor to recognize the Caprari family as they celebrate the Duchess Outlet's 60th Anniversary. May they continue to serve their neighbors and community in the Greater Pittston Area with distinction.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. ELLISON. Mr. Speaker, due to other commitments, I missed the following roll call votes. Had I been present, I would have voted as follows: Roll call no. 86, I would have voted yes. Roll call no. 87, I would have voted yes.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY SERGEANT (SGT) TIMOTHY R. OSBEY

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant (SGT) Timothy R. Osbey who paid the ultimate sacrifice while defending our great nation February 16, 2005, during Operation Iraqi Freedom III. SGT Osbey lost his life along with Army Sergeant (SGT) Joseph Andrew "Drew" Rahaim when a roadway collapsed and their vehicle rolled into a canal at Forward Operation Base Iskandariyah, Iraq.

SGT Osbey, a Mississippi Army National Guard soldier and Pike County native, was assigned to the 1st Battalion, 155th Infantry Regiment (Mechanized), Mississippi Army National Guard, McComb, MS. SGT Osbey served as an emergency medical technician. Before he entered the military, SGT Osbey excelled in track at the University of Southern Mississippi. During his funeral, Rev. Alphonse Patterson remembered SGT Osbey as a gifted athlete who also achieved academic success. SGT Osbey was a University of Southern Mississippi graduate.

Major General (MG) Harold A. Cross, Adjutant General of the Mississippi Army National Guard, presented SGT Osbey posthumously with a Bronze Star medal for meritorious service and a Mississippi Medal of Valor.

SGT Osbey will always be remembered as a role model who inspired so many others he served with. SGT Osbey is survived by his wife, Willie Marie Dickerson Osbey and daughter, Saderia Osbey.

HONORING WAYNE OLDHAM

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mrs. BLACKBURN. Mr. Speaker, from time to time members of this House rise, address the body to honor events in their districts, members of their communities, or occurrences in their towns. To be read into the CONGRESSIONAL RECORD is an honor our constituents cherish. Today, though Mr. Speaker, the honor is all mine to rise and tell this body about one of the Tennessee 7th Congressional District's most cherished and devoted citizens, Wayne Oldham, as his life and homegoing is celebrated this week.

Wayne was born in Montgomery County and made his life there and at every stage of his life, he would be found championing the conservative cause. From creating the Austin Peay State University College Republican chapter still in existence today, to being the longest serving State Executive Committee member of the Tennessee Republican Party, Wayne had a drive and a passion to support the people and causes he held dear. There was never a meeting too small or a race too insignificant for Wayne to attend and support. He was a fixture in Clarksville and his absence will be felt for years to come.

There are those whose light shines so brightly, boldly, and consistently that we are confident their legacy will remain long after they are gone. I join with family, friends, political activists, neighbors, committee members, and all those who will miss Wayne's supportive phone calls, his never-fading friendship, and his heart-felt laugh. I ask my colleagues to join with me in remembrance of my dear friend. May his life's work be a reminder in serving the world around us, no matter how big or small.

RECOGNIZING MR. CHARLES BARTLETT

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Charles Bartlett on being posthumously inducted into the Colorado Agriculture Hall of Fame. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Mr. Bartlett made a substantial impact on the Colorado agriculture industry throughout his lifetime. He got his start at an early age, when he undertook a supervisory role on his family's farm when he was 20 years old. Dedicating his time to protecting Coloradan's water and agriculture, he became Chairman of the Colorado Water Conservation Board and co-founded First FarmBank and FarmBank Holding Company.

Mr. Bartlett maintained a commitment to education in his community. He served on several school boards including the Board of Cooperative Educational Services and the Buffalo School District Board of Education. He received numerous prestigious awards, including

the Colorado Corn Amicus Friend of Agriculture Award, throughout his lifetime for his many acts of public service. It is clear that he cared greatly about bettering his community through leadership and hard work.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes to the family of Mr. Charles Bartlett. His passion and dedication to the agricultural industry makes him more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Mr. Charles Bartlett for his accomplishments.

RECOGNITION OF JOSEPH CACHERO SELECTION AS A DELEGATE TO THE CONGRESS OF FUTURE SCIENCE AND TECHNOLOGY LEADERS

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. VARGAS. Mr. Speaker, I rise today to honor Joseph Cachero, a student at Hilltop High School in Chula Vista, California, for his selection to represent the State of California as a Delegate at the Congress of Future Science and Technology Leaders. The event will be held at the Tsongas Center at University of Massachusetts Lowell in Lowell, MA, from June 29, 2017 to July 1, 2017.

The Congress of Future Science and Technology Leaders is an honors-only program designed to motivate and direct the top students in our country who aspire to be scientists, engineers, and technologists and encourage them to stay true to their dream. All delegates are nominated by their teachers or the National Academy of Future Scientists based on proven academic excellence and a demonstrated desire to enter the scientific or technology professions.

I want to congratulate Joseph Cachero and Hilltop High School in their success and leadership in the scientific field.

TRIBUTE TO JOYCE WATTS

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to my friend Joyce Watts.

After 40 years as Allegan County Clerk and Register, this past December Joyce made the tough decision to hang it up and retire.

She did so as the longest-serving elected county clerk in the entire state of Michigan and simply put one of the most dedicated public servants our great state has ever seen.

Joyce juggled many duties in her career. Before she was clerk-register, she was register of deeds for 12 years. She also served on the board of directors of the National Association of County Recorders and Clerks.

Joyce always impressed me with her professionalism, work-ethic, and tireless advocacy on behalf of our corner of the state. Joyce was someone you could trust to get the job done right. And as a clerk handling elections, it's absolutely imperative you have someone of her character and integrity serving in that position.

There is no doubting her passion and commitment. But above all, Joyce was a wife, mother, and a friend to me and countless others in our Allegan community.

And so, I want to wish Joyce, her husband John, and their son Jason and his wife Lesley best of luck in the coming years and I look forward to remaining close friends.

RECOGNIZING THE LIFE OF CECILIA ZÁRATE-LAUN

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. POCAN. Mr. Speaker, I rise today to recognize the life of Cecilia Zárate-Laun, a constituent and dear friend of mine who dedicated her life to building a more just and peaceful world. I first met Cecilia while serving on the Dane County Board of Supervisors in Wisconsin, where we worked together on a sister-city relationship between Dane County and Apartadó, in Antioquia, Colombia. I had the honor of visiting Apartadó on a delegation that Cecilia led, and worked with her to host Colombian dignitaries visiting the U.S. over the years.

Cecilia was born in 1945 in the Santander Province in Colombia. The eldest of five sisters, she studied nutrition in Bogotá, and later, as a Master's student at the University of Wisconsin. In 1976, she married Jack Laun, whom she had met while studying in the United States. They celebrated their 40th anniversary together last year.

Her lifelong mission was to educate and inspire ordinary people to become involved in the messy work of democracy. She had an intimate understanding that efforts to change government policy here in the U.S. had a profound impact on the lives of untold billions across the world. By shifting our priorities away from militarism and war-making, the United States could instead contribute to sustainable development and solving real human needs globally.

Co-founding the Colombia Support Network (CSN) in 1987, Cecilia went on to lead more than 50 delegations of residents of the United States to Colombia, supporting the formation of CSN chapters in the U.S. and matching them with communities in areas of conflict. CSN sought to achieve peace with justice in Colombia by changing U.S. policy and minimizing the violence faced by people caught between guerrillas on the one hand and state security forces and paramilitaries on the other.

Cecilia's commitment to social and economic equality, and a deep sense of solidarity with people around the world, drove her tireless efforts. That passion had a lasting effect on me and will continue to inform my work and the values I strive to uphold as a public servant.

Even in the weeks just before her passing, she worked closely with me as we pursued strategies to ensure accountability, truth, and justice for the victims of Colombia's 50-year conflict. She lived to see the end of Colombia's brutal civil war, which was the fruit of her labors and the efforts of persistent, dedicated peace activists just like her. Her life is a window into the decades-long commitment from millions of people in order to produce real social change.

Mr. Speaker, it is with great honor that I recognize the life and legacy of Cecilia Zárate-Laun today.

PERSONAL EXPLANATION

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mrs. BEATTY. Mr. Speaker, on February 7, 2017, I did not cast my vote on roll call votes No. 81 and No. 82. Had I been present, I would have voted "NAY" on both votes.

On February 14, 2017, I was unavoidably absent due to illness and unable to cast my votes on roll call votes Nos. 88 through 92. Had I been present, I would have voted as follows: Roll call vote 88 on ordering the previous question; NAY; Roll call vote 89 on agreeing to the Resolution, H. Res. 99; NAY; Roll call vote 90 on ordering the previous question: NAY; Roll call vote 91 on agreeing to the Resolution, H. Res. 116: NAY; Roll call vote 92 on final passage of H.R. 428, the Red River Gradient Boundary Survey Act; NAY.

CELEBRATING THE 100TH BIRTHDAY OF KENNETH WILLIAM THOMPSON

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to honor Downey resident, Mr. Kenneth William Thompson on the occasion of his 100th birthday.

Ken was born on February 9, 1917, to William and Eleanor Thompson in Virginia, Minnesota. The third of four boys, he spent his childhood in nearby Duluth, where the Thompson family survived the many challenges of the Great Depression. In 1940, the family moved west to California.

In 1942, at the outbreak of World War II, Ken was drafted into the U.S. Army, where he served as a Radar Technician (T5). Two of his brothers also served in World War II, in the U.S. Navy. During his tour of duty from 1942 to 1945, Ken served overseas in France, Belgium, and Germany. He fought in five major battles, including the Battle of the Bulge and at Bastogne. When the war in Europe ended, he was one of four in his unit who was scheduled to go to Japan because of his radar training, but the war ended before he shipped out.

After the war ended, Ken returned to California, where he met Vivian Laura Oden of St. Paul, Minnesota. They were married in 1948, and settled in Downey, California, where they raised their three beautiful daughters: Joan, Kathy, and Mary.

Ken was employed by Maytag for 35 years, where he worked in many positions until he retired in 1982. His loving wife, Vivian, died on February 19, 2000. Today, their family includes nine grandchildren and eight great-grandchildren.

Ken has made his home in Downey for 67 years, and has been very active in the community schools, for which he was awarded the Honorary Service Award. He has also been

actively involved with the Evangelical Free Church in Fullerton and the Trinity Baptist Church in Downey.

According to people who know Ken, and that is quite a large group, his life is built on love for faith, family, friends, a good wit, laughter, service to others, hard work, and a deep and abiding passion for his country.

Ken became 100 years old on February 9, 2017, and is celebrating this significant milestone on Saturday, February 18, 2017, at the Trinity Baptist Church.

I am honored to join with local leaders, and with Mr. Thompson's family and friends, in wishing him a very happy 100th birthday.

WORKING TO INTEGRATE NETWORKS GUARANTEEING MEMBER ACCESS NOW ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 512, the Working to Integrate Networks Guaranteeing Member Access Now Act, ("Wingman Ace"), which amends title 38. United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs.

H.R. 512 directs the Department of Veterans Affairs (VA) to provide an accredited, permanent congressional employee with read-only remote access to the electronic Veterans Benefits Administration (VBA) claims records system of a represented veteran, regardless of whether the employee is acting under a power of attorney executed by the veteran.

The DVA shall ensure that success does not allow the employee to modify system data.

Each Member of Congress who elects to have an employee participate in the system shall bear the certification cost which shall be paid from the Member's representation allowance.

The amended version would also require the DVA to implement the bill using appropriated funds, and allow as much as $10 million to be used from fiscal 2017 through 2020 for that purpose. No funds could be used to train congressional staffers.

An accredited, "permanent congressional employee" is an employee of a Member of Congress who assists constituents with issues regarding federal departments or agencies.

Mr. Speaker, I support H.R. 512 and urge all members to join me in voting for its passage. For that reason I support this bill.

RECOGNIZING ED AND MARY GEORGE POSS

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize Ed and Mary George Poss, who will be celebrating 71 happy years of marriage on March 20th of this year.

The couple met one another in third grade, but didn't have the chance to go on their first date until Ed asked Mary George out seven years later. Ed was a typical class clown, and Mary George was a Grade A student who was admired for being dedicated to her studies. The two didn't want much to do with each other during elementary and junior high school, but Ed continuously admired Mary George's beautiful character.

After the two graduated high school, they decided to get married and begin a life together. As the two entered their freshman year of college as an engaged couple, it became clear that Mary George's father wasn't quite ready to let his little girl go. He tried to offer her gifts to postpone the wedding, but she insisted that Ed was the one for her and married him only 10 days after her eighteenth birthday.

Since then, Mr. and Mrs. Poss have maintained their commitment over many years and long distances. Mary George stayed close to home to attend the University of Georgia while Ed played football at Auburn University. Ed later enlisted in the United States Navy, and moved from Virginia to San Diego, California to carry out his duties. Throughout the seasons spent in various homes from coast to coast, they have raised two children, both of whom live in Rabun County.

Together, Ed and Mary George have presented their children and our community of northeast Georgia with an enduring example of commitment and trust. May we all look to Mr. and Mrs. Poss for an example of the joy that comes from a life of love and service to another.

IN TRIBUTE TO AL JARREAU

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Ms. MOORE. Mr. Speaker, I rise today to recognize Alwin Lopez Jarreau, also known as Al Jarreau. He was a vocalist, musician, songwriter, and father. Al was born on March 12, 1940 in Milwaukee, Wisconsin and passed away at the age of 76, on February 12, 2017.

He was born into a musical family; his father was a pastor with a fine voice and his mother, the church's pianist. Al began singing at the age of 4, harmonizing with his 5 siblings. He graduated from Lincoln High School in 1958 where his love of music and singing deepened. He earned a bachelor's degree from Ripon College in Wisconsin in 1962, and a master's degree from the University of Iowa. He worked as a rehabilitation counselor for people with disabilities. Al Jarreau's full-time musical career began when he was nearly 30 and he could no longer resist the pull of jazz.

Al Jarreau was a versatile vocalist who recorded 21 albums, won seven Grammys and remains the only vocalist in Grammy history to win in the jazz, pop, and R&B categories. He was proud that his mix of styles prevented him from being easily categorized. Al Jarreau had a vocal style that was appealing and highly unusual. He could produce an array of vocalizations and was nicknamed the acrobat of scat because of this talent. Al reached a national audience with his second album We Got By, released in 1975. In 1965, he recorded his first album entitled "1965" belatedly released in 1982 which is esteemed by jazz connoisseurs today. In 1981 he had his biggest hit with the song "We're in This Love Together." He won his first Grammy in 1978, for his album "Look to the Rainbow" and his last in 2007, for best traditional R&B vocal performance. He shared the award with George Benson and Jill Scott for their collaborative performance, "God Bless the Child." Among Mr. Jarreau's best-known recordings was the theme song for the television series, "Moonlighting."

Al Jarreau was proud of his hometown and at the beginning of most performances announced that he was from Milwaukee. The Wisconsin Foundation for School Music honored Jarreau with a Lifetime Achievement Award in October 2016, and established an endowment in his name for Milwaukee Public School music programs. He was concerned that children in Milwaukee and across the country would not have exposure to music and the arts. In fact, Al Jarreau's parting request to mourners was that contributions be made to children from his hometown in lieu of flowers and gifts.

He leaves behind many friends, admirers and family members to mourn his passing including his wife, Susan, his son Ryan and two brothers, Marshall and Appie; and a sister, Rose Marie Freeman. Al Jarreau made a positive impact on Milwaukee, Wisconsin and the world and I am proud that he hails from Milwaukee. Mr. Speaker, for these reasons I rise to pay tribute to a man whose legacy will continue to benefit the Fourth Congressional District.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY SERGEANT (SGT) JOSEPH A. RAHAIM

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi soldier Army Sergeant (SGT) Joseph Andrew "Drew" Rahaim who gave his life while in service to our great nation February 16, 2005, during Operation Iraqi Freedom III. SGT Rahaim lost his life when a roadway collapsed and his vehicle rolled into a canal at Forward Operation Base Iskandariyah, Iraq. SGT Timothy R. Osbey was also killed in the accident.

SGT Rahaim was assigned to the 1st Battalion, 155th Infantry Regiment (Mechanized), Mississippi Army National Guard, McComb, MS.

Major General (MG) Harold Cross, Adjutant General of Mississippi, posthumously presented SGT Rahaim the Bronze Star Medal and the Mississippi Medal of Valor. During the funeral for the 22-year-old Magnolia, MS native, MG Cross described the medals as two of the nation's highest awards.

SGT Rahaim was remembered by many as a great storyteller. Soldiers from his unit said their guardian angel will probably be listening to his tall tales in heaven. Rev. Phil McMinn of the Brookwood Baptist Church in Lawrenceville delivered his eulogy. He said SGT Rahaim was destined to be a soldier from childhood, and that when Drew was a young boy, he kept his GI Joe toy close by.

SGT Rahaim will be remembered for his sacrifice and for demonstrating the qualities of a great soldier and American.

INTRODUCTION OF TAX RETURN PREPARER ACCOUNTABILITY ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. COHEN. Mr. Speaker, today I introduced, along with my colleagues Reps. ROBERT "BOBBY" SCOTT, CAROLYN MALONEY and ELEANOR HOLMES NORTON, the Tax Return Preparer Accountability Act of 2017, which would provide explicit authority for the Internal Revenue Service (IRS) to protect taxpayers from unscrupulous tax cheats masquerading as bona fide tax preparers.

As we near April 15th, millions of taxpayers will pay someone to help them fill out their tax returns. Many of these tax preparers are honest and trustworthy. But, unfortunately, too many of them take advantage of their customers or help their customers engage in tax fraud themselves.

In Memphis, my Congressional district, a company named Mo' Money Taxes was caught charging taxpayers deceptive and outrageous fees and cheating them out of their refunds. The company also helped some customers prepare fraudulent returns that claimed bogus deductions and cheated the public of needed tax revenue. Fortunately, the Department of Justice has shut down the tax preparer company but there are many businesses just like them cheating taxpayers and the government alike.

The IRS issued rules in 2011 regulating the tax return preparer industry by requiring them to register with the IRS and meet certain education and testing standards. However, a federal court held that the IRS did not have the authority under existing law to issue these regulations and they could not come into effect.

That's why I introduced the Tax Return Preparer Accountability Act because it's important that anyone who assists in filing federal taxes is sufficiently trained and maintain a certain level of professional conduct.

I hope that Congress will quickly act on this bill to ensure that these dishonest business practices cannot continue, and protect the pocketbooks of middle-class families.

IN RECOGNITION OF MARTHA E. POLLACK'S SERVICE ON BEHALF OF THE UNIVERSITY OF MICHIGAN

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Martha E. Pollack, Provost and Executive Vice President for Academic Affairs at the University of Michigan as she moves to the next chapter of her life. Ms. Pollack has led a distinguished academic career and helped the university effectively serve its students, faculty and the Ann Arbor community during her tenure with the school.

After receiving her doctorate in Information Science from the University of Pennsylvania in 1979, Ms. Pollack began her academic career with the nonprofit research organization SRI International. She then served as faculty for the University of Pittsburgh until 2000, when she joined the University of Michigan as a Professor of Computer Science and Engineering. Ms. Pollack distinguished herself through her outstanding scholarship and leadership. As a result, she was named chair of the School of Information in 2007 and Provost and Executive Vice President for Academic Affairs in 2013. As Provost, she oversaw academic and budgetary affairs for the entire academic enterprise, which includes the 19 schools and colleges within the university, as well as libraries, museums and other institutions in the University of Michigan system.

Ms. Pollack has received numerous accolades for her work as a leader and scholar at the University of Michigan. In 2007, Ms. Pollack received the Sarah Goddard Power Award for contributing to increased recognition and involvement of women in the sciences. She was also elected as a Fellow of the American Association for the Advancement of Science and the Association for Computing Machinery for her pioneering research. Under her leadership, the university has made important strides in improving affordability for students and continuing to attract world-class scholars to the University of Michigan community. Her leadership and experience will be missed as she moves on to become Cornell University's president this year.

Mr. Speaker, I ask my colleagues to join me in honoring Martha Pollack and her years of service to the University of Michigan and Ann Arbor community. She has proven to be a capable and committed leader who has helped address the most challenging issues facing the university.

RECOGNIZING MR. MARC ARNUSCH

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Marc Arnusch on being selected as the 2016 Rising Star in Colorado Agriculture. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Mr. Arnusch has an extensive background in Colorado agriculture. After receiving a degree in Agricultural Economics, he returned home and began working the land adjacent to his father's farm. He now operates Marc Arnusch Farms, LLC which stretches across 2,400 acres in Prospect Valley. Mr. Arnusch is a member of the Colorado Corn Administrative Committee and the Colorado Farm Bureau, and has held various leadership roles within the Colorado Farm Bureau.

His attendance and participation in local forums, appearance in television commercials, and efforts on behalf of agriculture have helped make him a prominent figure in his community. He has become a powerful voice for agriculture in Colorado and I look forward to learning of his future endeavors.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes as Mr. Arnusch pursues his future undertakings. His passion and dedication to the agricultural industry makes him more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Mr. Marc Arnusch for his accomplishments.

HONORING MAE BETH PALONE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. MARCHANT. Mr. Speaker, I rise today to congratulate Mae Beth Palone on her well-earned retirement from the Independent Bankers Association of Texas, after twenty-two years of dedicated service.

After graduating from the University of Texas with a bachelor's degree in journalism, Palone's distinguished career began at the Texas Capitol in 1975 working for Representative Elmer Martin. She then faithfully served Representative Walter Grubbs, Representative Jimmy Mankins, Representative Foster Whaley and even assisted a newly elected Representative Rick Perry before he had his own staff, finishing her Capitol career in the service of Representative Robert Earley.

Nearly twenty years later, she joined the Independent Bankers Association of Texas (IBAT) serving as IBAT's Government Relations Officer where she continued to cultivate her exemplary relationships with her legislative peers and promote the cause of community bankers in Texas. Palone's journalism degree was put to great use as the author of the script for IBAT's Annual Convention and other key IBAT events and communications. Palone was promoted to Vice President in 2000. She took the reins of the IBAT Leadership Division in 2004, the most treasured experience of her IBAT career, growing membership to over 590 and implementing a regional governance structure as she mentored the future leaders of the Texas community banking industry.

Despite her busy professional life, Ms. Palone also found time to give back to her community as a CASA volunteer as well as serving on the board of directors of her homeowners association. Palone is perhaps best known for her undying loyalty to her Texas Longhorns, attending every home football game and supporting them regardless of their ranking.

Palone's dedication, professionalism, and commitment to excellence have greatly benefited those who depend upon the Texas community banking industry. She has earned the respect and admiration of her peers.

Mr. Speaker, it is a pleasure to recognize the tireless efforts that Mae Beth Palone has made to the people of the great state of Texas and Texas community bankers. I ask all of my distinguished colleagues to join me in congratulating Mae Beth Palone on her many years of loyal service.

RECOGNITION OF EDGAR JACOME GUZMAN SELECTION AS A DELEGATE TO THE CONGRESS OF FUTURE SCIENCE AND TECHNOLOGY LEADERS

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. VARGAS. Mr. Speaker, I rise today to honor Edgar Jacome Guzman, a student in San Ysidro, California, for his selection to represent the State of California as a Delegate at the Congress of Future Science and Technology Leaders. The event will be held at the Tsongas Center at University of Massachusetts Lowell in Lowell, MA, from June 29, 2017 to July 1, 2017.

The Congress of Future Science and Technology Leaders is an honors-only program designed to motivate and direct the top students in our country who aspire to be scientists, engineers, and technologists and encourage them to stay true to their dream. All delegates are nominated by their teachers or the National Academy of Future Scientists based on proven academic excellence and a demonstrated desire to enter the scientific or technology professions.

I want to congratulate Edgar Jacome Guzman in his success and leadership in the scientific field.

RECOGNIZING THE LIFE OF FALLEN NATIONAL GUARD SOLDIER ARMY STAFF SERGEANT (SSG) NICHOLAS J. OLIVIER

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Staff Sergeant (SSG) Nicholas J. Olivier who paid the ultimate sacrifice while defending our great nation on February 23, 2005, during Operation Iraqi Freedom III. SSG Olivier's final mission was to conduct a foot patrol in Baghdad, Iraq in order to find terrorist elements reported to be operating in the area. While on the patrol, enemy forces initiated a complex ambush with an improvised explosive device and small arms fire that resulted in the mortal wounding of SSG Olivier and the injury of several of his fellow soldiers.

SSG Olivier was described as a leader who made it a top priority to get the men under his command back home to their families and loved ones once their tour was complete.

SSG Olivier, of Jackson, MS, was assigned to B Company, 3rd Battalion, 156th Infantry Regiment, 256th Infantry Brigade Combat Team, V Corps, Pineville, LA. He was the 15th member of the 256th from Louisiana to lose his life in Iraq.

SSG Olivier is survived by his parents, William and Linda Olivier and his wife, Angelle. In a statement issued by the National Guard, Angelle Olivier said her husband was committed to Operation Iraqi Freedom III and his country because he felt it was necessary to ensure America's freedom and to fight to abolish terrorism.

SSG Olivier gave his life to protect the freedoms we all enjoy. His sacrifice will not be forgotten.

THE EVOLVING THREAT OF TERRORISM AND EFFECTIVE COUNTERTERRORISM STRATEGIES

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. JOHNSON of Georgia. Mr. Speaker, the House Armed Services Committee held a full committee hearing on The Evolving Threat of Terrorism and Effective Counterterrorism Strategies. The hearing featured three witnesses, Professor Bruce Hoffman, Mr. Brian Jenkins, and Ambassador Michael Sheehan, all of whom are well-known counterterrorism subject matter experts.

There is no question that terrorism is a serious problem that requires holistic solutions, and there is no doubt that countering terrorism at home and abroad at times requires using hard power. This is a point that we can all agree. However, I am concerned that we have spent the overwhelming portion of our federal resources and national attention on the security dimensions of terrorism since 9/11 while largely ignoring the intangible elements, such as those requiring soft power solutions. This approach has led our government to adopt policies which only exacerbate the problem of terrorism rather than solve it.

President Trump's recent Executive Orders (EOs), in particular the Muslim ban and the virulent language being promulgated by senior officials, will only bolster the narrative which terrorist groups such as the Islamic State (IS) seek to spread, i.e. the West is at war with Islam. In his testimony in front of the House Committee on Homeland Security, Secretary of Homeland Security John Kelly called the EO barring individuals from seven majority-Muslim countries from entering the United States a "temporary pause." While I will not question the sincerity of this remark, the vast majority of counter-terrorism experts, including Michael Leiter, the former Director of the National Counterterrorism Center, agree that at best the EO completely "misses the point." At worst, the EO is "stupid," and "counterproductive," according to Patrick Skinner, a former CIA counterterrorism case officer.

As Skinner and other counterterrorism experts note, we currently rely upon local partners in Syria, Libya, and Iraq with whom we work side by side to expel IS terrorists from Mosul and Al Bab and other areas. With the Immigration EO, we are effectively telling our partners now that we won't need them and will abandon those who have sacrificed greatly for our cause. This is false. We do need them. It is also worrying that this EO supports the hateful West vs. Muslim World narrative terrorists are trying to propagate. As Jessica Stern, a counterterrorism expert, recently reported, "jihadis are already celebrating Trump's executive order as a 'blessed ban.'" Let me repeat that: terrorists are celebrating Trump's Immigration Executive Order.

It does not stop there. Late last month Reuters reported that the administration is moving away from using the neutral term, Countering Violent Extremism (or CVE), to Countering Islamic Extremism. Reuters further reported that the administration is focusing the work of a CVE Task Force on programs solely tackling radical Islamic groups, although the evidence clearly shows that since right-wing extremists have killed more people in the United States than Islamic Extremists. The world is following these developments, and terrorist leaders are using them to rally supporters and garner recruits.

In late January 2017, the New York Times provided evidence of a leaked draft of an EO that would have revived C.I.A. prisons, also known as black sites, where terrorism suspects were detained and tortured following the 9/11 attacks. The draft EO was reminiscent of the immediate years following 9/11, when torture was condoned by some of the highest levels of our government. Torture did not work back then and it does not work now. Simply put, torture makes us less safe. In early January 2017, a group of 176 retired flag officers from all branches of the United States military signed a letter to then President-elect Trump calling torture "unnecessary" and "counterproductive because it undermines our national security." A few days ago the New York Times reported that although the idea of black sites seemed to have been dropped, the Trump Administration was finalizing a new EO draft that would bring future IS detainees to the wartime prison at Guantanamo Bay.

In the years following the 9/11 attacks, Americans were forced to confront our policies of torture, black sites, the Abu Ghraib prison scandal, and the wartime prison at Guantanamo Bay Cuba. These policies not only left a stain on our conscience and America's moral standing, but they also led to the radicalization of countless of individuals. It is well known that Abu Bakr al Baghdadi, the leader of IS, spent significant time at American detention centers in Iraq, including Abu Ghraib and Camp Bucca. It was there that he and other future leaders of IS first met. Former prison commanders, analysts, and soldiers all reported that these prison sites "provided a unique setting for both prisoner radicalization and inmate collaboration—and was formative in the development of today's most potent jihadist force."

Mr. Speaker, it is plain to see the means this administration will use to counter terrorism will only lead to further radicalization, the birth of more terrorist groups, and increasingly strained relations with the Muslim world. I hope that we in Congress do everything we can to ensure that our counter terrorism policies live up to our values, and that we do not repeat the mistakes of the past.

RECOGNIZING MR. BILL MARKHAM

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Bill Markham on being inducted into the Colorado Agriculture Hall of Fame. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Throughout his life, Mr. Markham has contributed to the agricultural industry. His dedication to educating the youth in Colorado about

the importance of agriculture inspired him to donate his time and resources to the Colorado Young Farmers Educational Association, serving as state president and national secretary. He was also a member of the Colorado Livestock Association and Colorado Corn Growers Association. Throughout the years, he has won various awards for his commitment to agriculture, and even appeared in a Coors television commercial.

Despite Mr. Markham's accomplishments within his community, he is most proud to hold the title farmer. Mr. Markham is the owner of M&M Farms, where he has spent countless days growing Rocky Mountain Barley for Coors Brewing Company.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes to Mr. Bill Markham. His passion and dedication to the agricultural industry makes him more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Mr. Bill Markham for his accomplishments.

HONORING OAKWOOD MIDDLE SCHOOL AS FUTURE CITY FINALISTS

HON. BOB GIBBS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. GIBBS. Mr. Speaker, I am honored to recognize the students of Oakwood Middle School, finalists in the Future City competition.

Each year, more than 40,000 students from 1,350 schools across the country compete in the Future City competition, which challenges students to create futuristic cities and solve sustainability issues within the city. Thirty-four eighth-grade students from Oakwood Middle School in Canton, Ohio participated in this year's competition under the guidance of their teacher, Ms. Vanessa Board.

This year's competition tasked the students to create an efficient, eco-friendly city set 100 years in the future. These talented students used their knowledge in Science, Technology, Engineering, and Math to create the city of Skotgeta, an Icelandic city powered by geothermal energy, which harnesses sustainable natural resources and utilizes technology to cure cancer. Their hard work earned them First Place at the regional competition and qualified them to compete in the national Future City competition.

The achievements of these students demonstrate the same ingenuity and determination of other Ohioans like Neil Armstrong, Thomas Edison, and the Wright Brothers. I am confident in the future of our nation when Oakwood Middle School's Future City team represents the next generation of American leadership.

Mr. Speaker, this accomplishment is a testament to the students and their teacher's dedication to academic excellence. I am proud of each of these individuals, and I wish them much success in the future.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Ms. MOORE. Mr. Speaker, on February 13, 2017, I missed four votes as a result of personal illness. Had I been present, I would have voted YES on H.R. 609, YES on H.R. 512, YES on H.R. 244, YES on H.R. 974.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER SERGEANT FIRST CLASS (SFC) WILLIAM C. SPILLERS

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant First Class (SFC) William C. Spillers who paid the ultimate sacrifice while defending our great nation on February 17, 2007, during Operation Iraqi Freedom III. SFC Spillers died of a non-combat related injury in Baghdad, Iraq.

SFC Spillers worked at the Joint Forces Headquarters in Jackson, MS. He was assigned to the 230th Finance Detachment, 15th Finance Battalion, 13th Finance Group, Jackson, MS. Twenty-one members of his unit were mobilized in May 2006. They arrived in Iraq in August 2006.

SFC Spillers, a Terry, MS native, was described by Major General Harold Cross as a model soldier who was always attentive to his duties, Adjutant General of the Mississippi National Guard. At the time of SFC Spillers's death, at least 47 soldiers or sailors with Mississippi ties had died in action since operations began in Iraq and Afghanistan.

SFC Spillers devoted his life as a full-time soldier in service to our nation. He is survived by his parents Robert E. Spillers and Sharon Johnson, his wife Kim, his daughter Hailey, and sons Daniel and Myles.

BOOSTING RATES OF AMERICAN VETERAN EMPLOYMENT ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 974, "Boosting Rates of American Veteran Employment Act." "BRAVE Act" authorizes the Department of Veterans Affairs to give preference to companies with high concentrations of veteran employees when awarding VA contracts.

I support this bipartisan bill because it provides an incentive to companies to actively hire veterans.

H.R. 974 will spur the hiring of veterans into coveted positions within large government contractors.

The BRAVE Act also gives the VA authority to debar contracting for at least five years of any company determined to have willfully and intentionally misrepresented the veteran status of its employees.

One of the biggest problems facing our veterans right now is finding good jobs in civilian life, especially those who served in Iraq and Afghanistan.

Our veterans have received the best training in the world.

They have unique skills and experience that cannot be acquired anywhere but in the United States military.

They have what it takes to excel in the civilian workforce; they do not need charity, just opportunity.

With this bill, we urge private companies to hire highly-trained, highly-skilled veterans who know how to get the job done, whatever job it may be.

I ask my colleagues to join me in supporting H.R. 974.

RECOGNIZING MR. BILL WEBSTER

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Bill Webster on being inducted into the Colorado Agriculture Hall of Fame. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Mr. Webster has had a tremendous impact on agriculture in Colorado. He started Webster Land and Cattle Company at a young age and managed the company for over thirty years. After his retirement, Mr. Webster served in the Colorado State Legislature and as the Weld County Commissioner at Large. He has continuously been a leader in his community, serving on multiple boards and participating in various organizations. Today he is involved in the Greeley Rotary Club, T-Bone Club, First Congregational Church, and the American Legion.

In addition to being a leader in his community, Mr. Webster served his country for two years in the United States Army. After his many years of public service, Mr. Webster returned to Colorado State University to complete his Bachelor of Science degree in Animal Science. Mr. Bill Webster has set an exceptional example of leadership and public service, and it is a great honor to call him a dear friend and my father-in-law.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes to Mr. Bill Webster. His passion and dedication to the agricultural industry makes him more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Mr. Bill Webster for his accomplishments.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. HUIZENGA. Mr. Speaker, I rise today regarding missed votes due to my attendance at the White House for the signing ceremony for H.J. Res. 41 on Tuesday, February 14,

2017. Had I been present for roll call vote number 88, ordering the previous question of H. Res. 99, I would have voted yea. Had I been present for roll call vote number 89, Adoption of H. Res. 99, the combined rule providing for consideration of H.R. 428—Red River Gradient Boundary Survey Act and of H.J. Res. 42—Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants, I would have voted yea. Had I been present for roll call vote number 90, ordering the Previous Question on H. Res. 116—I would have voted yea. Had I been present for roll call vote number 91, Adoption of H. Res. 116—The combined rule providing for 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 and 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, I would have voted yea.

PRIME MINISTER BENJAMIN NETANYAHU VISIT

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. WILSON of South Carolina. Mr. Speaker, President Donald Trump warmly welcomed Prime Minister Benjamin Netanyahu to the White House today on his first official state visit of the new Administration. Under the leadership of President Donald Trump and Vice President MIKE PENCE, I am confident that this visit will leave no doubt that the United States stands firmly with our ally, Israel.

Throughout his campaign and since being sworn in as President, Donald Trump has made it a priority to stand up for Israel and promote peace in the Middle East, specifically, by opposing growing Iranian aggression. Just last week, the President swiftly imposed strong sanctions on Iranian officials for testing yet another intercontinental ballistic missile to threaten American families with death.

I look forward to working with President Trump to show our support for Israel and I appreciate that he has appointed Governor Nikki Haley as U.S. Ambassador to the United Nations, where she will be a strong voice for American families.

In conclusion, God Bless Our Troops and we will never forget September 11th in the Global War on Terrorism. God Bless Benjamin Netanyahu, a dynamic leader of peace through strength.

TRIBUTE TO BILL C. HUNTER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I wish to take a moment to pay tribute to Bill Hunter, the father of one of my long-time staff. I did not have the privilege of knowing Bill personally. However, I know how deeply he was loved and how greatly he is missed. I offer my condolences to his family as they both mourn his loss and celebrate his life after his home-going on January 17th of this year.

Known to many as Hunter, Bill was raised in West Texas and embodied many classic American traits—independent, driven, and fiercely loyal. His childhood was not easy, and it engendered in him his lifelong drive to work hard, fight for the underdog, and aid those in need. Bill lost his father when he was only 5, causing him to grow up early to help his mother pay the bills, whether as a paperboy, grocery clerk, or telegram courier. He recalled how it was cold in West Texas and his family couldn't make the gas payment. So, at only 7, he biked a paper route around 5 in the morning and then wore his cold, wet shoes the remainder of the day at school just to do his part. Bill put himself through college at Texas Tech and law school at Southern Methodist University. Key accomplishments for a boy from Monahans, Texas.

Bill lived, loved, and practiced law for over 50 years. Legal adversaries and allies agree that Bill was a brilliant attorney and a formidable opponent who earned the respect of his peers for his innovative legal arguments and his vigorous advocacy for his clients. Bill was tough as nails but soft as a kitten. He could aggressively fight a bully in court or quietly teach Sunday school or speak in silly voices to show his pets how much he cared for them. Bill deeply enjoyed providing high-caliber legal assistance to those who couldn't afford it. However, he didn't announce his efforts to help others. Rather, his family and friends learned of his extensive pro bono work when community members would share how much Bill had helped, be it the staff of his favorite restaurant or the workers at his retirement village.

Dallas was Bill's true home. He was President of the Dallas School Board, a member of Highland Park Presbyterian Church, a part-owner of the ABA basketball team the Dallas Chaparrals, a frequenter of Dallas' wonderful museums, and an avid Cowboys fan. He loved God and his family. He was very proud of his children and delighted in watching his grandchildren and step-grandchildren grow.

Bill leaves behind many who loved him: his wife, Pati, her 5 children and 5 grandchildren; his three children—Sam, Chris, and Jill, and his 9 grandchildren; and hundreds of attorneys, judge and friends who know that Dallas and the legal community lost an important member.

Although I did not know Bill personally, I know how much his family and community miss him. I imagine that his family can take comfort in knowing that Bill can still enjoy many of his favorite past times in heaven—engaging in some healthy arguments with St. Peter, listening to country music, whistling some tunes to pass the time, working challenging crossword puzzles, laughing at clever comic strips, or, most importantly, watching his beloved Cowboys.

PERSONAL EXPLANATION

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. ROE of Tennessee. Mr. Speaker, I missed Roll Call votes 89, 90 and 91 on February 14, 2017.

I missed these votes while attending the swearing-in ceremony at the White House for VA Secretary Shulkin.

Had I been present, I would have voted YEA on Roll Call No. 89, YEA on Roll Call No. 90, and YEA on Roll Call No. 91.

RECOGNIZING MR. ROBERT MILLER

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Robert Miller's retirement after a lifetime of service to the state of Colorado and the United States.

Bob Miller has dedicated his life to the pursuit of justice and order in our country. Bob received his Juris Doctor from the University of Colorado in 1965. He then worked 51 years in the legal profession as the first full-time District Attorney of Weld County, the U.S. Attorney for the District of Colorado, and an equity partner at Perkins Coie LLP. In addition to his work in the legal profession, he also served our nation as a member of the United States Air Force.

Besides his incredibly successful career, Bob Miller is most proud to have raised his family in Greeley, Colorado. In fact, his fondest memory is of watching his son, now Assistant District Attorney of Weld County, succeed in cracking a horrendous murder cold case.

Though he is stepping down as a partner at Perkins Coie LLP, Mr. Miller will continue to serve the people in a consulting role with the firm. Mr. Speaker, it is an honor to recognize Mr. Robert Miller for his accomplishments.

HONORING THE NAACP FOR 108 YEARS OF REMARKABLE SERVICE AND EXTRAORDINARY CONTRIBUTIONS TO THE NATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate the 108th anniversary of the oldest, largest, most historic and most influential civil rights organizations in the United States, the National Association for the Advancement of Colored People, known to all simply as the NAACP.

The NAACP is the oldest, largest, most historic and most influential civil rights organizations in the United States.

First organized in 1905, the group was known as the Niagara Movement when members began meeting at a hotel situated on the Canadian side of the Niagara Falls.

Members of the group had to meet in Canada because American hotels in Niagara Falls were segregated.

Under the leadership of the Harvard-educated scholar, the great W.E.B. Du Bois, the group would later be known as the National Negro Committee before finally adopting the name by which it has been known for the last 106 years—the National Association for the Advancement of Colored People, or NAACP—at its second conference in 1910.

The first official meeting was held in 1909 exactly 108 years ago this past Sunday: February 12, the centennial of the birth of President Abraham Lincoln.

The mission of the association was clearly delineated in its charter:

To promote equality of rights and to eradicate caste or race prejudice among the citizens of the United States;

To advance the interest of colored citizens; to secure for them impartial suffrage; and

To increase their opportunities for securing justice in the courts, education for the children, employment according to their ability, and complete equality before law.

Mr. Speaker, for more than a century, the NAACP has stayed true to its charter and championed the cause of justice and equality in America.

It has fought valiantly and tirelessly on behalf of African-Americans and others to secure their civil rights and liberties and the full measure of justice and equality for all.

At a time when African-Americans were treated as second-class citizens and the scourge of slavery was still rampant, the NAACP emerged to ensure that the rights, interests and voices of African-Americans did not go unheard.

During World War I, the NAACP successfully campaigned for African Americans to be commissioned as officers in the army, resulting in President Woodrow Wilson commissioning 600 African American officers.

During World War II, the NAACP persuaded the administration of President Franklin Roosevelt to issue an executive order banning racial discrimination in war-related industries and federal employment.

In 1948, President Harry Truman became the first president to formally address the NAACP and he worked with the NAACP in appointing a commission to study and offer ideas to improve civil rights and equality of opportunity for all persons in the United States.

The NAACP's close relationship with President Truman helped to influence him to issue Executive Order 9981, which desegregated the United States Armed Services by announcing the new "policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin," and that this policy be put into effect as rapidly as possible.

Mr. Speaker, the NAACP was perhaps the leading member of the "Big Six"—the coalition of religious, labor and civil rights organizations that organized and staged on August 28, 1963 the historic March on Washington, the most famous act of peaceful protest in our nation's history.

Other members of the Big Six were the Southern Christian Leadership Conference (SCLC); the National Urban League; Student Nonviolent Coordinating Committee (SNCC); the International Brotherhood of Sleeping Car Porters; and the Congress of Racial Equality (CORE).

The March on Washington was a seminal event in our nation's history and awakened Americans of goodwill to the urgent need to rededicate ourselves to the great unfinished task of making real the promise of America for all Americans, especially African Americans.

Mr. Speaker, the current president of the NAACP is Cornell William Brooks and the Board Chairman is Roslyn M. Brock; through the years, the NAACP has been led by some of bold, visionary, and effective leaders, including:

Walter White;
Roy Wilkins;
Benjamin Hooks;
Benjamin Chavis;
Merlie Evers-Williams, widow of Medgar Evers;
Kweisi Mfume;
Bruce S. Gordon; and
Benjamin Todd Jealous.

Mr. Speaker, America would be a very different place were it not for the brilliance of the NAACP's Clarence M. Mitchell, Jr., the legendary Director of the Washington Bureau from 1950 to 1978.

So effective was Clarence Mitchell in the campaigns to win passage of civil rights laws, including the 1957 Civil Rights Act, the 1960 Civil Rights Act, the 1964 Civil Rights Act, the 1965 Voting Rights Act of 1965, and the Fair Housing Act of 1968, that his sobriquet was the "101st Senator."

The NAACP is perhaps best known for the practice pioneered by the legendary Charles Hamilton Houston and Thurgood Marshall of "impact litigation," the strategy of bringing carefully selected cases to court to establish legal precedents of beneficially affecting thousands, and frequently millions, of persons beyond the immediate parties to the case.

Among the historic victories won by NAACP lawyers are:

1. 1940—Chambers v. Florida, which established that confessions obtained as the result of police coercion are inadmissible at trial;

2. 1944—Smith v. Allwright, which outlawed the South's "white primary";

3. 1948—Shelley v. Kraemer, which ruled racially restrictive covenants and unconstitutional and legally unenforceable'

4. 1950—Sweatt v. Painter and McLaurin v. Oklahoma State Regents, which, held that separate law and graduate school are inherently unequal and thus constitutional;

5. 1954—Brown v. Board of Education of Topeka, landmark case overruling separate but equal doctrine of Plessy v. Ferguson; and

6. 1956—Browder v. Gayle, which outlawed the practice of racial segregation on buses and led to the end of the Montgomery Bus Boycott.

Mr. Speaker, as Chair for the Congressional Children's Caucus, I am especially concerned with fair access to quality education for today's youth and am personally grateful to the NAACP for its leadership in winning the greatest legal victory for civil rights in American history, the 1954 landmark decision in Brown v. Board of Education, 347 U.S. 483 (1954), in which the Supreme Court struck down de jure segregation in elementary schools.

NAACP General Counsel Thurgood Marshall, who would later become the first African American Solicitor General and Associate Justice of the Supreme Court, forcefully argued and persuaded the Court to rule unanimously that in the field of public education, "separate but equal" was inherently unequal.

That decision gave hope to millions of Americans that their children might enjoy the full promise of America that had been denied their forebears for more than three centuries.

Mr. Speaker, the NAACP remains committed to achieving its goals through nonviolence, the legal process, and moral and political suasion, and through direct actions such as marches, demonstrations, and boycotts to give voice to the hopes and aspirations of African-Americans and others who lack the power to make their voices heard.

There is still a need for justice and equal treatment for African Americans and other vulnerable populations in our country, and thankfully, we still have a vibrant NAACP to advocate their cause and fight for their interests.

I am grateful for the many battles for equality that the NAACP organization has fought and won, and thankful that the NAACP will be there in the future to wage the fight for justice wherever and whenever justice needs a champion.

Happy 108th birthday, NAACP, and thank you for all you have done to make our country better.

TRIBUTE TO THE EAGLE HEIGHTS ELEMENTARY SCHOOL SECOND GRADE CLASS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to include in the RECORD some very special words of advice for our nation's 45th President, Donald Trump. These are words of welcome and advice from the students of Eagle Heights Elementary School's second grade class in Clinton, Iowa.

As their teacher Wendy Jennings notes, "My second grade class has been following the election and your road to becoming our new president. They were interested in the important things: the name of your son, the color of your ties, if you would use the bowling alley in the White House, why other grown-ups made mean faces when you were speaking and the fact you always smile. It has been fun to watch all of this through their eyes."

These following letters I include in the RECORD were hand written by each group of the seven and eight year olds in the class. I regret that I cannot include the wonderful artwork each student drew at the top of their notes. They drew American Flags, airplanes, hearts, houses, bowling alleys, and some pretty good drawings of our new president.

Please enjoy the wisdom and advice of these students, in their own words.

DEAR MR. PRESIDENT TRUMP

DEAR MR. PRESIDENT: I watched you become President. You have a beautiful wife. My teacher loved her blue dress. What does it look like in the White House? Is it beautiful? If I was President I would fix cancer.

Love, LILLIAN ASAY.

DEAR MR. PRESIDENT: My class watched your speech last week. When I watched your speech one man did not like what you said. I still love you. Oh!' Your family is so sweet.

Love, VENELEA DUNCAN.

DEAR MR. PRESIDENT: I am glad you are President. I like you. I know you are nice because you are always smiling. I like you.

Love, RAYHNE BOWMAN.

DEAR MR. PRESIDENT: I know that you will be the best President ever. You are very very smart because you know a lot of math problems. You are brave to tell the law.

Love, ANTHONY BOVIS.

DEAR MR. PRESIDENT: My class would like it if you came to Eagle Heights. The kids in my class are smart. My teacher loved the dress your wife was wearing. I like that you always smile. Is Air Force One loud?

Love, PAYTON EGGERS.

DEAR PRESIDENT TRUMP: What is it like being President? You should come to our class. We have very good kids. You are very nice. If I was President I would say no smoking.

Love, NOAH SEXTON.

DEAR MR. PRESIDENT: I know you will make a great President. Do you like your job? If I was President I would help the United States. I hope you make friends.

Love, JAMES BLOOMQUIST.

DEAR MR. PRESIDENT: My class wants you to come to Eagle Heights. I liked your speech. Do you like being President so far? If I was President I would help sick people.

JAKOB GEESTMAN.

DEAR PRESIDENT TRUMP: How hard is it to be President? Good job on being President. If I were President I would make more laws because I would make the world a better place.

Love, COOPER BELITZ.

DEAR PRESIDENT TRUMP: I really like how you smile in your pictures. How big is your family? I watched your inauguration with my class.

Love, JUSTIS WELCH.

DEAR PRESIDENT TRUMP: We watched your inauguration together in our class. I'm happy that you were running for President. Good job for running for President. I can tell that you are nice because you always smile.

Love, DARREN SCHEMERS.

DEAR PRESIDENT TRUMP: I watched your speech last week. I like your speeches. How fast is Air Force One? If I were President I would say no drugs because it is bad for you.

Love, JACOB NASH.

DEAR MR. PRESIDENT: How late did the inauguration go? I know you're going to be a great President. If I were President I would make school break longer. I watched you on TV and I thought you did good.

Love, ANDREA STEWART.

DEAR PRESIDENT TRUMP: We watched the inauguration in my class. You write good signatures! How do you start to be President? If I were President the law would be no saying bad words in school.

Love, DANIEL SCHEMERS.

DEAR PRESIDENT TRUMP: I watched your inauguration. I think you are going to be an excellent President. How do you think you are going to do? If I were President I would get rid of all the guns except for cops.

Love, JHARIA KNOX.

DEAR MR. PRESIDENT: I watched your inauguration last week. You are a really good President. Do you always smile? I know you are smart because you became President.

Love, JAYDA SKIFF.

DEAR MR. PRESIDENT: Great job for becoming President! I hope you like being President! Do you like being in the White House? Presidents are good, so be good!

Love, EMERSEN JENSEN.

DEAR MR. PRESIDENT: On Friday my class and I watched your inauguration. What was it like in New York? I like your tie. If I were President, I would probably make up a new fun world like in the book Frindle.

Love, STEPHANIE ROLLINS.

DEAR MR. PRESIDENT: I like your job. Is your job hard? If I were President I would change the law of no smoking. Your family looks like they are nice.

Love, JORDAN HELLWEG.

DEAR MR. PRESIDENT: We watched your inauguration speech. Do you like Hillary Clinton? You are the best President in the world because you will make good laws.

Love, GRIFFEN MANGELSEN.

DEAR MR. PRESIDENT: You always look really good on TV. You should come visit our school because Hillary Clinton came and you should too.

Love, EMMA RODRIGUEZ.

DEAR MR. PRESIDENT: Congratulations on being our new President. Do you like your new home at the White House?

DONOVAN MATOS.

ADVICE FOR OUR PRESIDENT

Buy your wife lots of pretty dresses so she looks good on TV.—JUSTIN WELCH.

Even if people are mean to you, keep being yourself.—VENELEA DUNCAN.

Keep the Secret Service with you at all times to keep you safe.—NOAH SEXTON.

Ask if you can take a tour of the White House so that you know where you will be living. There is a bowling alley and a movie theater there you will like.—LILLIAN ASAY.

Don't run away from the Secret Service. They are fast and everywhere.—EMERSEN JENSEN.

Don't give up and always remember to smile.—DANIEL SCHEMERS.

Make sure your son brushes his hair everyday so he looks good on TV.—JACOB NASH.

If someone makes a mean or mad face at you just ignore them.—DARREN SCHEMERS.

If someone makes a face at you keep standing tall.—PAYTON EGGERS.

Make sure you are always smiling when you are on TV or giving a speech.—JHARIA KNOX.

I think that good advice is to make school break longer because then more families have more time with their kids.—GRACE STEWART.

Make your family do chores each day even though you have help.—JAKOB GEESTMAN.

When you fly on Air Force One always wear your seatbelt.—JAYDA SKIFF.

If you have some money left you should donate it to people who are poor.—RAYHNE BOWMAN.

Do your best at work or you might get in trouble.—COPPER BELITZ.

If you have extra time, go have fun! Play in your bowling alley.—JORDAN HELLWEG.

Make sure you use the tennis court and your gym. Let the Secret Service come with you to protect you. They could work out too.—GRIFFEN MANGELSEN.

If I were President and I couldn't fall asleep I would get a drink and a snack and do some work or read a book.—STEPHANNIE ROLLINS.

Always wear a red, white, or blue tie when you are on TV.—EMMA RODRIGUEZ.

If someone bothers you, tell the Secret Service.—DONOVAN MATOS.

Make sure you remember to spend time with your family.—ANTHONY BOVIS.

Have the White House chef cook your favorite meal.—TYCE RICHARDSON.

Always wear a red, white, or blue tie to stand for our country.—JAMES BLOOMQUIST.

Take good care of our country.—JAMES BLOOMQUIST.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 16, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 28

2 p.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Disabled American Veterans.
SD–G50

MARCH 1

10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of The American Legion.
SD–G50

2 p.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars of the United States.
SD–G50

MARCH 8

10 a.m.
Committee on Commerce, Science, and Transportation
To hold an oversight hearing to examine the Federal Communications Commission.
SH–216

MARCH 9

10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.
SD–G50

MARCH 22

10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations.
SD–G50

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1165–S1221

Measures Introduced: Twenty-six bills and two resolutions were introduced, as follows: S. 379–404, S.J. Res. 22, and S. Res. 61. **Pages S1217–18**

Measures Passed:

Social Security Administration Rule Relating to Implementation of the NICS Improvement Amendments Act: By 57 yeas to 43 nays (Vote No. 66), Senate passed 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. **Pages S1167–69**

Mulvaney Nomination—Agreement: Senate resumed consideration of the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget. **Pages S1170–75, S1175–S1216**

During consideration of this nomination today, Senate also took the following action:

By 52 yeas to 48 nays (Vote No. 67), Senate agreed to the motion to close further debate on the nomination. **Pages S1169–70**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 10 a.m., on Thursday, February 16, 2017, under the previous order. **Page S1202**

Mulvaney/Pruitt Nominations—Agreement: A unanimous-consent-time agreement was reached providing that following Leader remarks on Thursday, February 16, 2017, there be 10 minutes of debate, equally divided, prior to a vote on confirmation of the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget; followed by up to 10 minutes of debate, equally divided, prior to a vote on the motion to invoke cloture on the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency, and if cloture is invoked, post-cloture time be counted as if invoked at 7 a.m., on Thursday, February 16, 2017. **Page S1202**

Messages from the House: **Page S1217**

Additional Cosponsors: **Pages S1218–19**

Statements on Introduced Bills/Resolutions: **Pages S1219–21**

Additional Statements: **Page S1217**

Authorities for Committees to Meet: **Page S1221**

Privileges of the Floor: **Page S1221**

Record Votes: Two record votes were taken today. (Total—67) **Pages S1169, S1170**

Adjournment: Senate convened at 10 a.m. and adjourned at 9:16 p.m., until 10 a.m. on Thursday, February 16, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1210.)

Committee Meetings

(Committees not listed did not meet)

MENTAL HEALTH CARE

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies concluded a hearing to examine mental health care, focusing on examining treatments and services, after receiving testimony from Joseph Parks, University of Missouri, St. Louis; David M. Johnson, Navos, Seattle, Washington; Dennis Freeman, Cherokee Health Systems, Knoxville, Tennessee; and Donald W. De Lucca, International Association of Chiefs of Police, Doral, Florida.

ANTI-ACCESS AREA DENIAL CHALLENGES IN EUROPE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities received a closed briefing on Anti-Access Area Denial challenges in Europe from Lieutenant Colonel Andrew S. Shobe, USAF, Deliberate Plans Division, and Major Roderick V. James, USAF, Chief of Weapons and Tactics, both of Air Forces in Europe, and Lieutenant Colonel Keven P. Coyle, USAF, Future Operations Division, European Command, all of the Department of Defense.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee announced the following subcommittee assignments:

Subcommittee on Aviation Operations, Safety, and Security: Senators Blunt (Chair), Wicker, Cruz, Fischer, Moran, Sullivan, Heller, Inhofe, Lee, Capito, Gardner, Young, Cantwell, Klobuchar, Blumenthal, Schatz, Markey, Booker, Udall, Peters, Baldwin, Duckworth, and Hassan.

Subcommittee on Communications, Technology, Innovation, and the Internet: Senators Wicker (Chair), Blunt, Cruz, Fischer, Moran, Sullivan, Heller, Inhofe, Lee, Johnson, Capito, Gardner, Young, Schatz, Cantwell, Klobuchar, Blumenthal, Markey, Booker, Udall, Peters, Baldwin, Duckworth, Hassan, and Cortez Masto.

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security: Senators Moran (Chair), Blunt, Cruz, Fischer, Heller, Inhofe, Lee, Capito, Young, Blumenthal, Klobuchar, Markey, Booker, Udall, Duckworth, Hassan, and Cortez Masto.

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard: Senators Sullivan (Chair), Wicker, Fischer, Inhofe, Lee, Johnson, Gardner, Young, Peters, Cantwell, Blumenthal, Schatz, Markey, Booker, and Baldwin.

Subcommittee on Space, Science, and Competitiveness: Senators Cruz (Chair), Moran, Sullivan, Lee, Johnson, Capito, Gardner, Markey, Schatz, Udall, Peters, Baldwin, and Hassan.

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security: Senators Fischer (Chair), Wicker, Blunt, Heller, Inhofe, Johnson, Capito, Gardner, Young, Booker, Cantwell, Klobuchar, Blumenthal, Udall, Baldwin, Duckworth, and Hassan.

Senators Thune and Nelson are ex officio members of each subcommittee.

MULTIMODAL TRANSPORTATION SYSTEM

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security concluded a hearing to examine stakeholder perspectives on our multimodal transportation system, after receiving testimony from Matthew K. Rose, BNSF Railway Company, Fort Worth, Texas; Christopher Lofgren, Schneider National, Inc., Green Bay, Wisconsin; Tom Gurd, The Dow Chemical Company, Midland, Michigan, on behalf of the American Chemistry Council; and Wick Moorman, Amtrak, Washington, D.C.

ENDANGERED SPECIES ACT

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine modernization of the Endangered Species Act, after receiving testimony from Wyoming Governor Dave Freudenthal, Cheyenne; Gordon Myers, North Carolina Wildlife Resources Commission Executive Director, Raleigh, on behalf of the Southeast Association of Fish and Wildlife Agencies; James Holte, Wisconsin Farm Bureau, Madison; Jamie Rappaport Clark, Defenders of Wildlife, Washington, D.C.; and Dan Ashe, Association of Zoos and Aquariums, Silver Spring, Maryland.

ENDING MODERN SLAVERY

Committee on Foreign Relations: Committee concluded a hearing to examine ending modern slavery, focusing on building on success, after receiving testimony from Ashton Kutcher, Thorn, Los Angeles, California; and Elisa Massimino, Human Rights First, Washington, D.C.

GOVERNMENT OPERATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine government operations susceptible to waste, fraud, and mismanagement, after receiving testimony from Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office; John H. Thompson, Director, Census Bureau, Department of Commerce; Michael J. Missal, Inspector General, Department of Veterans Affairs; and John Roth, Inspector General, Department of Homeland Security.

FINANCIAL FRAUD AFFECTING SENIORS

Special Committee on Aging: Committee concluded a hearing to examine stopping senior scams, focusing on developments in financial fraud affecting seniors, after receiving testimony from Timothy P. Camus, Deputy Inspector General for Investigations, Treasury Inspector General for Tax Administration, Department of the Treasury; Lois Greisman, Associate Director of the Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission; Diane A. Menio, Center for Advocacy for the Rights and Interests of the Elderly, Philadelphia, Pennsylvania; and Philip Hatch, Portland, Maine.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 42 public bills, H.R. 1059–1100; and 9 resolutions, H.J. Res. 74–75; H. Con. Res. 25–27; and H. Res. 127–130 were introduced. **Pages H1242–44**

Additional Cosponsors: **Pages H1245–46**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Rogers (KY) to act as Speaker pro tempore for today. **Page H1187**

Recess: The House recessed at 10:30 a.m. and reconvened at 12 noon. **Page H1190**

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 and 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"—Rule for Consideration: The House agreed to 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", by a yea-and-nay vote of 233 yeas to 188 nays, Roll No. 94, after the previous question was ordered by a yea-and-nay vote of 233 yeas to 190 nays, Roll No. 93. **Pages H1193–H1200**

Committee Elections: The House agreed to H. Res. 127, electing Members to certain standing committees of the House of Representatives. **Page H1200**

Recess: The House recessed at 3:54 p.m. and reconvened at 4:30 p.m. **Page H1221**

Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees: The House passed 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 yea-and-nay vote of 234 yeas to 191 nays, Roll No. 95. **Pages H1218–21, H1221**

H. Res. 116, the rule providing for consideration of the joint resolutions (H.J. Res. 66) and (H.J. Res. 67) was agreed to yesterday, February 14th.

Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees: The House passed H.J. Res. 66, disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees, by a yea-and-nay vote of 231 yeas to 193 nays, Roll No. 96. **Pages H1206–17, H1221–22**

H. Res. 116, the rule providing for consideration of the joint resolutions (H.J. Res. 66) and (H.J. Res. 67) was agreed to yesterday, February 14th.

Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants: The House passed H.J. Res. 42, disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants, by a yea-and-nay vote of 236 yeas to 189 nays, Roll No. 97. **Pages H1200–06, H1222–23**

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 yesterday, February 14th.

House Commission on Congressional Mailing Standards—Appointment: The Chair announced the Speaker's appointment of the following Members to the House Commission on Congressional Mailing Standards: Representatives Davis (CA), Sherman, and McEachin. **Page H1223**

British-American Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Member on the part of the House to the British-American Interparliamentary Group: Representative Rodney Davis (IL). **Pages H1224–25**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H1192 and H1223.

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear

on pages H1199, H1199–H1200, H1221, H1222, and H1222–23. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:19 p.m.

Committee Meetings

RURAL ECONOMIC OUTLOOK: SETTING THE STAGE FOR THE NEXT FARM BILL

Committee on Agriculture: Full Committee held a hearing entitled ''Rural Economic Outlook: Setting the Stage for the Next Farm Bill''. Testimony was heard from Robert Johansson, Chief Economist, Department of Agriculture; and public witnesses.

OVERSIGHT OF THE USDA OFFICE OF INSPECTOR GENERAL

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held an oversight hearing on the USDA Office of Inspector General. Testimony was heard from the following officials from the Office of the Inspector General of the Department of Agriculture: Phyllis K. Fong, Inspector General; Gil H. Harden, Assistant Inspector General for Audit; and Ann Coffey, Assistant Inspector General for Investigations.

PROVIDING VULNERABLE YOUTH THE HOPE OF A BRIGHTER FUTURE THROUGH JUVENILE JUSTICE REFORM

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled ''Providing Vulnerable Youth the Hope of a Brighter Future Through Juvenile Justice Reform''. Testimony was heard from Meg Williams, Manager, Office of Adult and Juvenile Justice Assistance, Division of Criminal Justice, Colorado Department of Public Safety; Patrick J. Flannelly, Chief of Police, Lafayette Police Department, Lafayette, Indiana; Denise Navarre Cubbon, Judge, Lucas County Juvenile Division, Lucas County, Ohio; and a public witness.

MODERNIZING ENERGY AND ELECTRICITY DELIVERY SYSTEMS: CHALLENGES AND OPPORTUNITIES TO PROMOTE INFRASTRUCTURE IMPROVEMENT AND EXPANSION

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled ''Modernizing Energy and Electricity Delivery Systems: Challenges and Opportunities to Promote Infrastructure Improvement and Expansion''. Testimony was heard from public witnesses.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Full Committee held a hearing entitled ''Monetary Policy and the State of the Economy''. Testimony was heard from Janet Yellen, Chair of the Board of Governors, Federal Reserve System.

COMMITTEE FUNDING FOR THE 115TH CONGRESS

Committee on House Administration: Full Committee began a hearing on committee funding for the 115th Congress. Testimony was heard from Chairman Bishop of Utah, Chairman Walden, Chairman Royce, Chairman McCaul, Chairman Nunes, Chairman Conaway, Chairman Sessions, Chairman Chabot, Chairman Brooks of Indiana, Chairman Foxx, Chairman Brady of Texas, Chairman Shuster, and Representatives Grijalva, Pallone, Engel, Thompson of Mississippi, Schiff, Peterson, Slaughter, Velázquez, Deutch, Scott of Virginia, Neal, and DeFazio.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a 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 Act of 2017''. The committee adopted its Authorization and Oversight Plan for the 115th Congress. H.R. 906 and H.R. 985 were ordered reported, without amendment.

GAO'S 2017 HIGH RISK REPORT: 34 PROGRAMS IN PERIL

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''GAO's 2017 High Risk Report: 34 Programs in Peril''. Testimony was heard from Gene L. Dodaro, Comptroller General, Government Accountability Office.

EXAMINING FEDERAL PROGRAMS THAT SERVE TRIBES AND THEIR MEMBERS

Committee on Oversight and Government Reform: Subcommittee on the Interior, Energy and Environment held a hearing entitled ''Examining Federal Programs that Serve Tribes and Their Members''. Testimony was heard from Frank Rusco, Director, Natural Resources and Environment, Energy and Science Issues, Government Accountability Office; Mary Kendall, Deputy Inspector General, Office of Inspector General, Department of Interior; and a public witness.

RISKY BUSINESS: THE DOE LOAN GUARANTEE PROGRAM

Committee on Science, Space, and Technology: Subcommittee on Energy; and Subcommittee on Oversight, held a joint hearing entitled ''Risky Business: The DOE Loan Guarantee Program''. Testimony was heard from public witnesses.

START-UPS STALLING? THE TAX CODE AS A BARRIER TO ENTREPRENEURSHIP

Committee on Small Business: Full Committee held a hearing entitled ''Start-ups Stalling? The Tax Code as a Barrier to Entrepreneurship''. Testimony was heard from public witnesses.

BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA: STATE OF AMERICAN AVIATION MANUFACTURING

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing entitled ''Building a 21st Century Infrastructure for America: State of American Aviation Manufacturing''. Testimony was heard from Peggy Gilligan, Associate Administrator for Aviation Safety, Federal Aviation Administration; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Veterans' Affairs: Full Committee held a markup on a resolution to assign Congressman Sablan, Congresswoman Esty, and Congressman Peters to subcommittees and a resolution designating Congresswoman Esty as the ranking member of a subcommittee. The committee adopted both resolutions.

THE GEOGRAPHY OF POVERTY

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled ''The Geography of Poverty''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D99)*

H.J. Res. 41, providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to ''Disclosure of Payments by Resource Extraction Issuers''. Signed on February 14, 2017. (Public Law 115–4)

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 16, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine reshaping the United States military, 9:30 a.m., SD–G50.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine stakeholder perspectives on improving the Transportation Security Administration for the security of the traveling public, 10:30 a.m., SR–253.

Committee on Finance: to hold hearings to examine the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nomination of David Friedman, of New York, to be Ambassador to Israel, Department of State, 10:30 a.m., SD–419.

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues, to hold hearings to examine democracy and human rights, focusing on the case for United States leadership, 2:45 p.m., SD–419.

Committee on Rules and Administration: organizational business meeting to consider committee rules, an original resolution authorizing expenditures by the Committee during the 115th Congress, and the omnibus budget resolution for Senate Committees, 10 a.m., SR–301.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

House

Committee on Agriculture, Full Committee, markup on the ''Pesticide Registration Enhancement Act of 2017''; and H.R. 953, the ''Reducing Regulatory Burdens Act of 2017''; hearing entitled ''Pros and Cons of Restricting SNAP Purchases'', 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing entitled ''Members' Day'', 9:30 a.m., HT–2 Capitol.

Committee on Armed Services, Subcommittee on Tactical Air and Land Forces, hearing entitled ''Military Services 5th Generation Tactical Aircraft Challenges and F–35 Joint Strike Fighter Program Update'', 9 a.m., 2212 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing entitled ''Federal Wage and Hour Policies in the Twenty-First Century Economy'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment, hearing entitled ''Modernizing Environmental Laws: Challenges and Opportunities for Expanding Infrastructure and Promoting Development and Manufacturing'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Housing and Insurance, hearing entitled ''Assessing the U.S.–EU Covered Agreement'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Iran on Notice'', 10 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Border and Maritime Security, hearing entitled ''A Dangerous and Sophisticated Adversary: The Threat to the Homeland Posed by Cartel Operations'', 10 a.m., HVC–210.

Subcommittee on Oversight and Management Efficiency, hearing entitled ''Watchdog Recommendations: A Better Way Ahead to Manage the Department of Homeland Security'', 2 p.m., HVC–210.

Committee on House Administration, Full Committee, hearing on committee funding for the 115th Congress (continued), 10:45 a.m., 1310 Longworth.

Committee on the Judiciary, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing on H.R. 372, the ''Competitive Health Insurance Reform Act of 2017'', 10 a.m., 2141 Rayburn.

Subcommittee on the Constitution and Civil Justice, hearing entitled ''The State of Religious Liberty in America'', 1 p.m., 2141 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''NASA: Past, Present, and Future'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Economic Growth, Tax and Capital Access, hearing entitled ''State of the Small Business Economy'', 11 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity; and Subcommittee on Government Operations of the House Committee on Oversight and Government Reform, hearing entitled ''The Use of Official Time for Union Activities at the Department of Veterans Affairs'', 12:30 p.m., 2154 Rayburn.

Next Meeting of the SENATE

10 a.m., Thursday, February 16

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget, with a vote on confirmation of the nomination, to be followed by a vote on the motion to invoke cloture on the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, February 16

House Chamber

Program for Thursday: Consideration of 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''. Consideration of 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.

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