

hinder the investigation because it is absolutely critical that we protect the integrity of this investigation. That means ensuring that it is completely independent going forward and that nothing has already occurred that could compromise it. The good news is, the inspector general can take this investigation on his own and go forward with what we asked for in the letter on his own. I would urge him to do so.

#### TRAVEL BAN

Mr. SCHUMER. Mr. President, the second issue I would like to discuss is the travel ban, the recently issued Executive order on immigrants and refugees. Now that we have the details, it is clear that while the administration has made some very minor changes, it has done nothing to alter the core thrust of the order, which I believe is terribly misguided and does nothing to address the core concerns of the Ninth Circuit Court of Appeals, which ruled the original order was potentially unconstitutional.

Moreover, we know that the administration delayed its announcement and implementation so President Trump could bask in the aftermath of his joint address. That should be all the proof Americans need to know that this Executive order has everything to do with optics and nothing to do with national security. If national security were at stake, it should not have been delayed a single day.

The truth is, there is very little new or improved about this Executive order. It is barely a fresh coat of paint on the same car that doesn't drive. It is still a travel ban. It is still a refugee ban. It still makes us less safe, not safer, according to not just me but to Republicans like Senator McCAIN. It still attempts to turn innocent immigrants and refugees into scapegoats and still does not do the things that would actually make us safer, like going after lone wolves and closing the loopholes in the Visa Waiver Program.

The new Executive order is still mean-spirited, misguided, and, in my judgment, goes against what America is all about, being a country that accepts and cherishes immigrants, not disdains them. I fully expect the President's new Executive order will have the same uphill climb in the courts that the previous version had.

#### AFFORDABLE CARE ACT

Mr. SCHUMER. Mr. President, finally, on the Affordable Care Act. My Republican friends have repeated the mantra for 7 years, "Repeal and replace, repeal and replace." It turns out, during those 7 years, they never came up with a coherent plan to replace the Affordable Care Act. It was all slogans, no policy.

Now they are scrambling to come up with something. The problem is, every draft, every leaked detail or outline or list of principles we have seen is tied

together by one common thread: It will raise costs on average Americans and cut back on their benefits. Average Americans, under the Republican plan, will pay more and get less.

No wonder they are hiding the plan somewhere in a basement room, even as they are scheduling markups on the bill for a week from now. They don't want the folks to see it until the very last minute; just rush it through. I don't blame them. It is going to be very hard for Republicans to be proud of this plan, which hurts average Americans, raising their costs and taking away benefits.

It is the absolute height of hypocrisy to be hiding this plan. My Republican colleagues complained bitterly, day after day, week after week, month after month, about not having enough time to read the Affordable Care Act when it was being debated. At the time, my friend, the distinguished majority leader, said:

Americans want us to slow down, and Congress is putting its foot on the accelerator. Americans want to know what this bill would mean for them, and Congress won't let them read it before a vote . . . [on a] piece of legislation that will affect one of the most significant aspects of their lives. Americans [he continued] have concerns about what they're hearing, and they are being told to shut up, sit down, and take the health care we give you.

By keeping their replacement bill under lock and key, only a week before potentially voting on it, the Republicans are engaging in enormous hypocrisy—exactly what the majority leader complained about only a few years ago. Their mantra in past years was always "read the bill." Now they will not even let us glance at it. Why are they hiding it? I think I know why. They are not very proud of it. They know it is not going to work.

They are being pushed blindly forward by their ideologues and their incessant campaign promises. The American people ought to know how Republicans plan to drastically reshape this Nation's health care policy. I suspect Americans will not like it much. I suspect it will raise costs and cut benefits. I suspect far fewer Americans will get coverage. I suspect their plan will put the insurance companies back in charge.

Whatever it does or doesn't do, the American people and their representatives in Congress, after 7 long years of slogans, ought to know the true face of "replace."

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF DEFENSE, THE GENERAL SERVICES ADMINISTRATION, AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.J. Res. 37, which the clerk will report.

The bill clerk read as follows:

A joint resolution (H.J. Res. 37) disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 6 p.m. will be equally divided in the usual form.

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am pleased to be here with a number of my colleagues to oppose H.J. Res. 37. As it has just been announced, we will vote on it later today. I am glad to be joined by so many of my colleagues to fight against efforts to limit the application of the Fair Pay and Safe Workplaces Executive order.

As a member of the Armed Services Committee, I fought to ensure that harmful provisions in the National Defense Authorization Act for fiscal year 2017 seeking to limit the applicability of this Executive order to DOD were stripped from the final bill signed into law in December, and I continue to feel strongly that we must do everything possible to defend American workers. That is what this issue concerns.

In 2014, President Obama issued a critical Executive order, the Fair Pay and Safe Workplaces Executive order. Then, last summer, after thorough analysis and due diligence by the Department of Defense and several other agencies, he implemented what is known as the fair pay and safe workplaces rule. That rule requires companies doing business with the Federal Government to disclose when they violate any of 14 laws. The list of laws include some that are very familiar to all of us, like the Americans with Disabilities Act, the Family and Medical Leave Act, and the Civil Rights Act. This list includes some other laws that may be somewhat more obscure, but those laws have been around for decades. They are well known in the workplace, and they are designed to protect

veterans, women, and people with disabilities from harmful, debilitating discrimination.

There is no requirement that companies disclose trivial allegations; rather, the rule requires disclosures of violations that rise to a determination by a court or administrative body of an actual violation or serious pending administrative proceeding by an agency. Companies would know of such violations.

Most companies play by the rules; all they need to do is check a box confirming they are in compliance. For those companies with compliance issues, the contracting agency would take information about those violations into consideration in the procurement process, and the contracting agency would then try to work with the company to make sure that it comes into compliance with the law. This Executive order is not about exclusion or about blackballing; in fact, it is about including and working with companies to bring them into compliance so they obey the law, knowing what the rules are, and wanting everybody to play by the same rules—not having an unfair advantage.

This rule is not about blackballing or blacklisting companies. It is about ensuring that, if they want to do business with the Federal Government, they follow the law and provide a safe and equitable workplace, protecting American workers—veterans, women, and people with disabilities—who may be victims of harmful, debilitating discrimination.

The rule is an effort to make Federal resources go to companies that are complying with the law or that are coming into compliance with Federal law. The reason behind it is to protect American workers, but it is also about creating a level playing field for all contractors and making sure there is a relationship of trust with contractors because we need partners who can be trusted to carry out the Federal Government's important work, especially in the area of building our defense weapons.

Companies that violate the law are creating an unlevel playing field, forcing law-abiding companies into unfair competition, potentially raising their costs. They skirt the law, saving dollars, presenting low-ball offers, based on noncompliance, cutting corners by, in effect, ducking their legal obligations. If they are hired, they are also at risk of providing poor performance because a company that violates the law and disregards its obligation is much more likely to disregard its moral as well as its legal duties in complying with the contract.

It is not just about saving dollars. It is about workers. Every year, tens of thousands of American workers are denied overtime wages, they are unlawfully victims of discrimination in hiring and pay, they have their health and safety put at risk by Federal contractors when they do cut corners, or they

are denied basic workplace protections. That is another reason we need this rule, this Executive order, protecting workers and creating a level playing field.

Some have called the fair pay rule one of the most important advances for workers in years, and it is. According to one assessment, one in five Americans are employed by companies that do business with the Federal Government. Ensuring that those one in five workers are protected helps countless Americans. It helps them in those workplaces, and it also sets a model for workplaces elsewhere.

It is basic, simple transparency that enables the American people to know who executive agencies task with the work, using taxpayer dollars. So requiring companies to disclose—and this rule is about disclosure—compliance records is something that many States, including Connecticut, already have in place through responsible bidder programs that use self-reporting to improve contractor quality by identifying companies with records of violating workplace laws, among other things.

President Trump was rightly praised by many of my colleagues in calling for a “level playing field” for businesses in his speech before us, in Congress, last week, and he has been lauded for saying we need to deliver “better wages for Americans.” Yet here we are, just weeks into the administration and this new Congress, and we are seeing what the real priorities unfortunately are. Once we put aside the rhetoric, actions are what matter, and these actions truly demoralize and destroy law-abiding companies' chances to compete fairly, and they decimate rights of workers to safe and fair workplaces.

I am troubled that rolling back this Executive order which I fought to achieve in the NDAA is so high a priority for the new administration and my colleagues here. Many organizations opposed this effort, and I am proud to join them in trying to forestall this rollback—the Easterseals organization, Paralyzed Veterans of America, VetsFirst, Vietnam Veterans of America, and many others who rightly fear that this course of action will do damaging injustice to our veterans and constituents with disabilities. It will also do potential damage to countless other workers involved in doing the people's work, such as performing contracts for the Federal Government funded with taxpayer dollars—our dollars—that can be used in discriminatory and unfair ways if this resolution is approved.

I urge my colleagues to vote against H.J. Res. 37 later today and protect the fair pay and safe workplaces rule. For the sake of our constituents—women, veterans, workers with disabilities, and businesses of America—we must reject this assault on fairness and common sense.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AFFORDABLE HOUSING TAX CREDIT

Ms. CANTWELL. Mr. President, I come to the floor this afternoon to talk about the affordable housing crisis in the United States of America and to talk about the reintroduction of legislation from last Congress that is going to be reintroduced by me, Senator HATCH, Senator WYDEN, Senator HELLER, Senator SCHUMER, Senator MURKOWSKI, and the Acting President pro tempore—Senator YOUNG—and several other of our colleagues.

The reason we are introducing this important legislation is to say that we need to increase the tax credit for affordable housing in the United States. We are saying this because we know from reports and statistics that we have a housing crisis in the United States of America, and unless we increase the affordable housing tax credit, we are not going to see much more new supply. That is because 90 percent of the affordable housing that is built in the United States of America is built with a tax credit.

Today, we are also releasing a report that is showing that the demand for affordable housing is exploding and construction is definitely not keeping pace. We are showing that seniors and veterans are at a greater risk for homelessness and that about a 60-percent increase in the need for affordable housing is being driven by Americans who are paying more than 50 percent of their income in rent, making it an unaffordable situation.

We are introducing this important legislation that, we hope, will build 400,000 additional affordable housing units across the United States and that will also help create additional jobs.

This is an issue that we are sending to the Finance Committee before, and I would hope my colleagues on the Finance Committee would take swift action. I say that because the report found three key factors. One is an increase of 9 million renters since 2005. That is a huge increase since 2005. How did we get there?

Over 7 million Americans lost their homes due to foreclosure in the economic crisis. As a result, home ownership rates have been at their lowest levels since the mid-1960s. Over the last 10 years, we have seen the largest gain in the number of renters in any 10-year period of time on record. That is right. We increased the number of renters in this last 10-year period of time more than at any other time on the books.

It kind of makes sense if you think about it. If the economic crisis caused you to downsize, and you were in a home and you could no longer afford it,

you would put pressure on the rental market. For those already in the rental market, it pushed many of them out of market-based rates and into solutions that were less affordable. As we all know, in major cities and urban areas across our country, it caused an actual homelessness crisis, as well, as many people could no longer even afford basic rent.

The affordable housing crisis is exploding all over the country, and we face pressures from all sides. Demand for rental housing has increased by 21 percent, but we are building units at the lowest rate since 1970. It does not take more than basic economics to see that, with demand so high and supply so low, we need to do something if we are going to make a dent in this problem. If we do not increase the Low-Income Housing Tax Credit, then, by the year 2025, we are going to have 15 million Americans who are spending more than half of their income on rent, and this is truly unacceptable.

Our report shows that in the last decade the total number of Americans who have faced this extreme housing problem—that is, paying more than half of their incomes in rent—ballooned by 60 percent, and that has put a lot of pressure on many of our States. For my home State, the affordability crisis is actually getting worse than the national average. Since 2000, median rents have risen by 7.6 percent, which is 2.5 percent higher than in the rest of the country. As I said, it is all of those people coming from the foreclosure market into the rental market. On average, there is about a 3.5-percent increase in rents across the United States. In addition, there are 16 percent fewer affordable rental homes available in Washington State compared to the U.S. average. Overall, 400,000 Washingtonians are paying more than half of their monthly incomes in rent.

We saw these numbers, and we saw specifically how seniors and veterans and homelessness are also driving the increase in demand. Senior unaffordability, which is the term given to people who are paying more than half of their incomes in rent, rose by 30 percent. With the veteran unaffordability, which is the number of the veterans who are returning and being part of the housing market, we will see an increase of over 500,000 veterans who need affordable housing.

I think the Acting President pro tempore knows well that in his home State there are people who are trying to provide solutions in small towns and urban areas for our veterans so that they can have affordable places to live. The report also shows that doing nothing is going to continue to exacerbate the problem. We will see another 25-percent increase in unaffordability. That is just unacceptable.

To help solve the problem of affordable housing, my colleague, the chairman of the Finance Committee, and I are reintroducing the bipartisan Af-

fordable Housing Credit Improvement Act to strengthen and expand the Low-Income Housing Tax Credit.

Under this provision, the expanded tax credit would help create and preserve 1.3 million affordable homes over a 10-year period of time, which would be an increase of 400,000 new units nationwide. According to the National Association of Home Builders, annual LIHTC development—this is the overall appropriation—supports approximately 95,700 jobs and \$9.1 billion in wages. Investing in the low-income housing tax credit, which gives our citizens more affordable housing, is good for them, but it is also good for our economy. Enacting the proposal would create an additional 450,000 jobs over the next 10 years and would support the construction of these important units.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the National Association of Home Builders that talks about the economic benefit of the Low-Income Housing Tax Credit and this particular proposal, with their estimates of increased Federal revenue of \$11.4 billion, State and local revenue of \$5.6 billion, and a total of 452,000 jobs being created in that 10-year period of time.

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

NATIONAL ASSOCIATION OF HOME BUILDERS,  
Washington, DC, November 11, 2016.

Hon. MARIA CANTWELL,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR CANTWELL: As requested by your staff, the Economics Group of the National Association of Home Builders (NAHB) has provided the economic impacts of multifamily construction as part of a review of S. 3237, the Affordable Housing Credit Improvement Act of 2016.

Our estimate relies on both internal NAHB data as well as data provided to us by external sources. Estimates of per-unit revenue and employment impacts have been calculated using NAHB's home building and remodeling economic impact model.

INCREASE IN TAX REVENUE PER MULTIFAMILY RENTAL UNIT BUILD  
[In 2014 dollars]

Federal .....	28,375
State and Local .....	14,008
Total .....	42,383

To complete the estimate, NAHB used the existing estimate that enacting S. 3237 would result in 400,000 additional low-income housing tax credit (LIHTC) units developed over ten years.

In total, NAHB estimates that the new 400,000 units would result in 452,000 jobs as well as a gross increase in federal revenues of \$11.4 billion, and state and local revenues of \$5.6 billion, over ten years.

TEN-YEAR EFFECTS  
[Revenue expressed in 2014 dollars]

Federal Revenue .....	11.4 billion
State and Local Revenue .....	5.6 billion
Jobs .....	452,000

I hope this information is useful for you. For additional information, please contact David Logan, Director of Tax Policy Analysis at DLogan@nahb.org or 202.266.8448.

Sincerely,

ROBERT DIETZ, PH.D.,  
Chief Economist, National Association of Home Builders.

Ms. CANTWELL. Mr. President, I enter that into the RECORD because it is so important for our colleagues not to get stymied over the next several months, as we discuss proposals for economic development and for infrastructure across the United States, and not take action on this issue because we do not know how we can afford it. What we cannot afford is the rising number of Americans who no longer can afford rent or home ownership. What we need to do is to make sure that there is a roof over their heads and that they can be productive parts of our economy.

Since its creation over the last 30 years, this tax credit has financed nearly 2.9 million homes across the United States, leveraging more than \$100 billion in private sector investment. That is what I like most—a little bit of the tax credit going a long way to leverage the private sector into making investments in affordable housing. Between 1986 and 2013, more than 13 million people have lived in homes that have been financed by this tax credit.

I hope my colleagues will take a look at this legislation that we are introducing today and help us support it. The crisis is real across America. Our report shows the crisis is only going to be exacerbated because of demographics and demand. The best way out of this problem is for us to make an investment that only we can make, as 90 percent of the affordable homes are built with the tax credit. Without increasing the tax credit by 50 percent, we are just writing our own statistics for a very, very dire situation across the United States of America.

I see communities in my State that look like and reflect pictures that I have seen from the Great Depression. I know the recession hit us hard, but we have to climb out of this homelessness problem by making an investment in the affordable housing tax credit. It is a bipartisan success. I hope we can make its expansion a bipartisan solution that we all can get behind.

I thank the Acting President pro tempore.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PORTMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

OPIOID EPIDEMIC

Mr. PORTMAN. Madam President, this is the 32nd time I have come to the

floor in the last year to talk about an issue that unfortunately is getting worse—not better—and that is the epidemic of opioids; that would be heroin, prescription drugs, and now, more recently, synthetic heroin, also known as fentanyl or U-4 or carfentanil.

Every single day we are now losing 144 Americans to drug overdoses. Think about that, every single day, 144 people. By the way, that means, during the time it takes to give these remarks, which will be about 12 minutes, on average, we are losing another American to this opioid epidemic.

It is an issue that is now so serious that it has overtaken car accidents or even homicides from gun violence as the No. 1 accidental cause of death in our country.

It is easy to get discouraged because we see these statistics. We hear about the overdoses. We hear about the deaths. We hear about the difficulty for people to get out of the grips of this addiction. The relapse rate is high. It is an issue that is affecting every single community in this Chamber. By the way, it is affecting our inner cities, it is affecting our suburbs, it is affecting our rural areas and every group of Americans out there. No one is immune from this, and it knows no ZIP Code.

Yet today I want to talk a little about some of the reasons for hope and some of the models of success out there because this Congress, to its credit in the last year, has actually gotten much more serious about this issue. We passed two pieces of legislation to help; particularly, to provide better prevention and education to keep people from getting into the funnel of addiction and then, second, to help in terms of providing the resources: the treatment, the recovery. The longer term recovery, in particular, it is the first time Congress has stepped up on that.

We also need to do a better job ensuring that our law enforcement and our other first responders have what they need to save lives and to be able to reverse the effects of overdoses through this miracle drug called naloxone or Narcan. It is part of the legislation that has not just been passed but is beginning to be implemented.

Fortunately, in my own State of Ohio—although we have one of the worst addiction problems in the country—we also have a lot of really compassionate people who have stepped forward and are taking advantage of these resources, including not only resources from Washington now but also from State and local governments and from so many nonprofits out there. They are taking advantage of that to provide better treatment, better recovery, and better prevention. As a result, they are saving lives.

On Saturday, I visited a group called Clean Acres in Wilmington, OH. It is a farm that provides recovery housing for men. These are men who are struggling with addiction. They work on the farm. They provide each other support,

and it has been very successful for a lot of them.

I met a guy named Dan, who told me how Clean Acres is helping him get his life back. For over a decade, he was a heroin addict. He shot up every morning until one day, he was actually at work, and he passed out. He was digging a ditch, and he passed out.

He was rushed to the hospital. The doctors discovered he had a very serious infection related to his intravenous drug use. He required emergency, life-saving surgery right then.

The doctors told him he might not wake up. He did wake up after that surgery, and there before him were his three kids. He hadn't seen them in 5 years because—in so many cases you hear this and as Dan said this—the drugs became everything. He said, not his family, not his relationships, not his friends, not his work—the drugs became everything. These three kids had come to his bedside because they thought it might have been his deathbed, he said.

He saw these three kids, whom he hadn't seen in 5 years. He said that even after having experienced this near-death operation and having his three kids there, the first thought that came to his mind was: Where can I get another hit? Where can I get another hit? But then, in the situation he was in, he prayed, and he said his prayer was: "Lord, help me get out of here." "Help me get out of here," meaning, "help me get out of this situation."

He made a decision. He was going to try treatment again. He had tried treatment before. So many recovering addicts and addicts I talk to around my State have been in and out of treatment programs, detox treatment. It hasn't worked.

He decided this time he was not just going to get into treatment, but he was going to try something different, which was not to go back to the old neighborhood, not to go back to his old friends, but instead to try longer term recovery. That is how he ended up at Clean Acres. That is this farm where he and other men live together. They work, but they support each other to try to keep their lives on track after their treatment is over. It doesn't provide the treatment, but it does provide them with the meetings they need to be able to have that support around them in order to keep clean.

As one of the men at Clean Acres told me, it is hard to go through treatment. It is much harder to stay clean after treatment.

So Dan is healing himself. He is working at the farm. He plans to go into construction. He has big plans now. That is the hope. That is the opportunity for people to get their lives back on track whom I see every day when I talk to the people in my home State of Ohio.

Last week, I was also at Racing for Recovery, outside of Toledo, OH. I met with Todd Crandell. He has been in recovery from addiction for about 20

years. He is now giving back in a huge way.

I met with parents who had lost children to addiction. They come to Todd's organization, Racing for Recovery. They find support there, and they help other parents to work through this.

I met law enforcement officers there who are working with this recovery facility to try to ensure that the people whom they are locking up aren't going to just get right back into the revolving door again, back in and out of prison, back committing crimes. The No. 1 cause of crime in the State of Ohio is this addiction; people who, again, put the drug first ahead of everything, including their own sense and their own conscience, their own sense of what is moral and right, and instead they are committing burglaries and fraud and shoplifting—anything they can do to get the funds they need to continue their addiction.

I met Jessica at Racing for Recovery. She has been clean for 9 months. Before she sought help, she overdosed for 3 days in a row. She said her life was saved by the police; specifically, a program by the Lucas County Police Department called the Drug Abuse Response Team, DART. I am really impressed with DART and what they are doing. It is now being copied in other communities around Ohio and around the country. DART is being proactive. They got her engaged in treatment and recovery. She is now in sober housing. Todd, Jessica, and others there told me this: Look, you have to have this longer term recovery because that is what works.

A couple of weeks ago, during the State work period, I held a roundtable discussion in Fremont, OH, where I met Matt Bell. Matt is an amazing guy—a charismatic, young guy. He said that for him the gateway drug was marijuana and alcohol in high school. He ended up overdosing on heroin three times. He was convicted of 13 felonies, and he went to detox 28 times. Now he is clean and preventing new addictions from taking place by working nonstop to raise public awareness about the dangers of drug use. He goes around to the schools, and he doesn't just talk to kids who are juniors and seniors. He talks to middle schoolers because he knows he has to go younger and younger to get kids to think about their own futures, about the fact that addiction can happen in one use sometimes, and it is something that can ruin their lives. Thank God for Todd and thank God for Matt, because guys like that are out there every day giving back and they are saving lives.

So I want to thank all these compassionate people I have met—Clean Acres, Racing for Recovery, the Lucas County DART team, and Team Recovery. They are doing the hard work. They are in the trenches trying to actually turn the tide on this growing addiction problem we have. Again, I want to tell them that help is on the way.

Last year Congress did pass the 21st Century Cures Act and authorized

funding for States—\$500 million this year and \$500 million for next year—to fight this epidemic. Another step we took, which I think was probably the biggest step we have taken in a couple of decades in this area, was the passage of the Comprehensive Addiction and Recovery Act, or the CARA Act. Those who know about CARA know that it is a new approach on treatment, recovery, and prevention. If you don't know about it, look it up and check it out. Be sure that the groups in your town, wherever you live, know about the fact that they can apply for grant money to be able to help on these recovery services that I am talking about, many of which do not have the funding to be able to be successful without the increases in rehab. Be sure they know about the fact that if you have a fire department in your community that is strapped for cash and cannot afford the Narcan to provide the Narcan treatments, there is an opportunity to apply for grants there, too, to be able to save lives from overdoses. Narcan is not the answer. The answer is to get into treatment. But Narcan is saving lives, and, therefore, it is necessary today. So let people know that is around and is available now.

Sadly, the situation is not getting better, even with these new efforts that are finally being implemented by the new administration. They started at the end of the Obama administration with a couple of programs, and now we have a couple more programs coming on line. Within the next few months, we expect the rest of the programs to be fully implemented. They are absolutely necessary, but they are pushing up against something new, which is, I hate to say, even more dangerous than heroin, and that is this synthetic heroin that is coming into our communities. It is like a poison coming into our communities by the U.S. mail system, if you can believe it.

The experts tell us that most of this fentanyl or carfentanil is being made in laboratories overseas, mostly in China, and it has been coming through the mail system. Why? Because the traffickers don't want to use other private carriers—UPS or FedEx or others—because they require that there be advanced digital information on where the package is from, what is in it, and where it is going. Guess what. We don't require that in the mail system. So the bad guys choose to send it through the mail system instead. That certainly is something the Federal Government should address.

So we have introduced legislation called the STOP Act. It is very simple. It says that if you want to send something to the United States of America, it has to say where it is from—what place in China—what is in the package, where it is going, and it can only go to the place they say it is going. That gives our law enforcement a new tool they are desperate to have because they are not able to look at millions of packages. But they can look at hun-

dreds and this helps them to ferret out those packages that look most suspicious.

By the way, this new stuff, fentanyl and carfentanil, is incredibly powerful and incredibly dangerous. It is believed to be 30 to 50 times more powerful than heroin. Think about that. I was in Dayton, OH, a week before last and was meeting with the law enforcement task force there. They told me the sad story about a little girl, 14 years old, who was told by her friends: You ought to snort this stuff; it is called heroin. She did. It was fentanyl, and she dropped dead. She overdosed and died immediately because it was so powerful. Even a few flakes of it, they say, can kill you.

According to the Cleveland medical examiner of Cleveland, OH, this past month of February, which is the shortest month in the year, was also the deadliest month in Northeast Ohio for fentanyl and heroin. In other words, what they are seeing is not just more overdoses but more deaths because of fentanyl being mixed with heroin or sometimes fentanyl in its pure form. In just 28 days this February, 60 Clevelanders died from overdoses in one month. This is one city in America. There are another seven cases that are undergoing tests, but they are suspected to be the result of heroin and fentanyl overdoses.

What is driving the growth of this epidemic is the increasing use of fentanyl. Drug traffickers are lacing other drugs with it. I was told by the DART task force in Toledo that they are actually putting fentanyl in marijuana now, and people are showing up in the emergency room and overdosing on marijuana because it is sprinkled with fentanyl. It is more addictive. So the traffickers like it. It is more deadly. So we need to fight back. The Drug Enforcement Administration says it takes 2 milligrams of fentanyl to kill you. That is about the same as a pinch of salt. Many heroin users don't realize that the heroin they buy on the street may contain these new incredibly powerful synthetic drugs. So part of the message has to be what one father told me, which is: You are playing Russian roulette every time you use these drugs because you don't know what is in it. If there is fentanyl in it, there is a good chance you won't just overdose, but you will end up as one of these statistics we talked about earlier.

In Lorain, OH, last Monday, a 29-year-old man drove off the road and nearly hit a tree. When police arrived they found him unconscious from an overdose, with a baby in the backseat—a baby in the backseat. It took several doses of this Narcan and naloxone to reverse the effects of the overdose. Ordinarily, it would take only one dose, but with fentanyl-laced heroin it takes more. When police went to his home, a child answered the door and said: Mommy is sleeping, and we can't wake her up. Again, this is the guy that overdosed in the car. They take the kid

home and another kid says: Mommy won't wake up. They find out the mother is also unconscious from a heroin overdose that she had in front of her four children. According to police, the couple thought they were using heroin, but tests confirm that it was laced with fentanyl.

This is an opportunity for us in the Congress to pass legislation that will help to be able to stop some of this poison from coming into our communities. At a minimum, it will raise the price, because some of this fentanyl, I am told, is less expensive than even the things that are less powerful, like heroin.

Fentanyl took the life of Erin Jarvis of Troy, OH. Erin was a prom queen. Erin was very popular. She was active in student government. She was captain of her soccer team. She got good grades. She got into Ohio University, a great school.

She had multiple knee injuries from playing soccer, which required surgery. She was prescribed Percocet. She became addicted. At Ohio University, her friend introduced her to a drug that was stronger and cheaper and easier to get. Of course, that was heroin. This story I have heard so many times. There is the overprescribing, sometimes because of an accident and an injury, and, then, somebody becomes addicted and turns to heroin because it is cheaper and easier to get. Erin began disappearing for days at a time, stealing from her family. Her mom Kelly started missing jewelry, credit cards, and even a TV set. When her sister got her wisdom teeth taken out, she stole her sister's Percocet. By the way, she never should have gotten Percocet for her wisdom teeth, in my view.

Erin finally got help. She went to rehab. She decided she wanted to become a nurse and help others struggling with addiction. After receiving treatment, she moved back in with her mom. But she relapsed, and she died. She died at the age of 24 with this promising life ahead of her. Her last words to her mom were these: I love you. The next day Kelly watched her daughter get taken out of their home in a body bag.

Tests showed that Erin died of an overdose of heroin laced with fentanyl. According to the coroner, she hadn't used the full injection. There was a lot left in the needle. He said: I suspect that what was in that syringe was not what she thought it was—exactly.

Families who have loved ones struggling with addiction are worried about the poison pouring into the streets, and you can see why. As deadly as heroin is, this stuff is even worse.

To keep this poison off the streets, Senator KLOBUCHAR, Senator RUBIO, Senator HASSAN, and I have introduced bipartisan legislation, the Synthetic Trafficking and Overdose Prevention Act, or the STOP Act, which would require the Postal Service to require this simple information that would give our law enforcement the ability to target these packages of fentanyl.

Based on expert testimony in hearings we have had hearings before the Senate Homeland Security and Governmental Affairs Committee, it would make it easier for them to detect those packages. That is what law enforcement is asking for. We should provide it to them. There is a bill in the House that is identical to ours, introduced by Congressman PAT TIBERI of Ohio and Congressman RICHARD NEAL of Massachusetts.

This is not the silver bullet, as I said. It is not the solution. No one has that silver bullet, but it would take away a key tool of drug traffickers and restrict the supply of these drugs, raising their price and making it harder to get. With the threat of this synthetic heroin and this poison coming into our communities every day, we need to act and act now.

So I would urge my colleagues to let their constituents know about the help that is on the way. Tell them about what is going on with the Cures Act and CARA legislation. Put it on your website so they know they can get help with treatment and recovery that was not previously out there. Our law enforcement, first responders, and firefighters can get the help they need to be able to get the training and have the funds for Narcan to save lives. We can do much better in terms of prevention and education. Some of this grant money is directed toward letting people know the connection between prescription drugs and heroin and between fentanyl and heroin.

Finally, to my colleagues, please join us in pushing back against these new poisons coming into our communities by cosponsoring the STOP Act and by requiring that this basic information be provided. With more cosponsors, I think our leadership will be much more likely to take this to the floor. Once it gets to the floor, it can be passed because people know that in their communities all over this country this epidemic must be stopped.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Madam President, the 115th Congress has now been in session for 2 months. Republicans control the House of Representatives, the Senate, and the White House. So what have they done so far with that power? Have they passed legislation to create jobs or increase wages for middle-class families? No. Have they proposed any plan to put Americans back to work fixing our roads, bridges, and other crumbling infrastructure? No. Have they done anything at all to help seniors who are struggling with high drug prices and other expenses? Not even close.

During his campaign, President Trump said over and over that he would stand up for workers. But so far,

Republicans haven't voted on a single piece of legislation to help working families put food on the table, send their kids to college, or save a little money for retirement. No, they haven't helped families, but they have been busy.

With no hearings and barely any debate, Republicans have found a new tool, one that has been used successfully only once before in history, under the Congressional Review Act. They have used it to kill basic protections for workers. No wonder they haven't wanted any headlines about the actual work they are getting done.

Senate Republicans want to repeal the Fair Pay and Safe Workplaces Executive order. So instead of creating jobs or raising wages, they are trying to make it easier for companies that get big-time, taxpayer-funded government contracts to steal wages from their employees and injure their workers without admitting responsibility.

The American people spend around \$500 billion every year on private companies that provide goods and services to the government. Those companies do everything from building battleships and fighter jets to serving snacks at national parks. It is big business. It is estimated that as many as one in five American workers works for a company with at least one Federal contract.

With so much taxpayer money on the line, it really matters that contractors are using it responsibly. While many contractors are good employers, others cut corners on safety or squeeze their workers on wages and benefits just to keep their corporate profits going up, and they break Federal labor laws to do so. Here are just two examples.

VT Halter Marine is a company that builds ships for the Navy. They have received \$680 million in Federal contracts since 2009—taxpayer dollars that were supposed to be used to create good, safe jobs. Instead, VT Halter took a lot of shortcuts on worker safety, and now they have killed or injured multiple workers at their shipyards in Mississippi.

In 2012, a worker died after the lid of a 20-pound cast iron pot containing abrasive ship-cleaning liquid came loose and sheared away his face. Investigations showed that VT Halter had ignored safety requirements to show employees how to safely handle these pots.

In 2014, a crane collapsed at VT Halter, injuring five workers, including a crane operator, who lost part of his skull, is now blind, and requires 24-hour nursing care. That employee had repeatedly told his supervisors that the sensors on his crane were broken, but VT Halter kept him working, and now he is blind and needs full-time nursing care.

The list goes on and on. Each time, VT Halter ignored the law, workers got hurt or killed, and the company got a slap on the wrist and another top-dollar defense contract courtesy of the American taxpayer.

Contractors that cannot meet basic safety standards should not get a single dollar of taxpayer money, and the Fair Pay and Safe Workplaces Executive order was the first step in making sure that this was the case.

Other Federal contractors have found other ways to take advantage of their workers and to boost profits. Federal contractors have been caught stealing wages from hundreds of thousands of workers. Right here in the Senate, the men and women who prepare the food in the cafeteria have had their wages stolen by the contractor that employs them. The Department of Labor just found out that hundreds of these hard-working employees together were owed more than \$1 million in back wages. This case was right under our noses. There are countless more all across the country where the very companies that receive taxpayer money from the government are taking shortcuts, breaking the law, cheating their employees out of hard-earned wages, and driving working families into poverty.

Republicans in the House of Representatives have called this rule "a solution in search of a problem," saying it would "only hurt workers and small businesses," as if the deaths of those working for Federal contractors or the thefts of their wages was just business as usual and they didn't care. That position is parroted by the chamber of commerce, which calls the rule "burdensome" and "unwarranted."

My Republican colleagues and their buddies in the giant corporations that rely on huge Federal contracts to keep profits high want the American people to believe that by making it easier for companies that mistreat their workers to profit off of taxpayer dollars, somehow they are helping workers. That is just nuts.

Here is what the rule does: When a company wants a contract from the government that is worth more than \$500,000, it has to disclose any judgments against it for violating labor laws for the preceding 3 years. The order also asks the Secretary of Labor to work with other agencies to come up with standards for assessing whether labor violations are serious, repeated, or willful.

If you are a company that does right by your workers, this rule will not affect you—not one bit. If you pay your workers fairly and keep them safe on the job, you won't even notice the new rule. It also does not stop companies from getting contracts if they have had just a few violations but have taken steps to remedy the problem, and it does not add one bit to the burden on smaller companies that bid on smaller contracts—again, not one bit.

So who gets hit by this rule? Who is it who is complaining? Who are the Republicans trying to protect? Massive corporations that repeatedly cut corners that put their employees' lives at risk or that steal their wages. This rule keeps the big corporations that are the biggest labor violators from getting the biggest contracts.

Once again, this debate is about whom Congress actually works for. Does Washington work for the taxpayers, who want to see their hard-earned money spent responsibly? Do we work for the hard-working Americans, who want to be paid what they are promised and not have to put their lives at risk for a paycheck? Do we work for giant contractors that rake in enormous tax dollars and cannot even follow basic safety rules for American workers?

I came to Washington to stand with the men and women who go to work every day to build roads and bridges, to help communities recover from natural disasters, and to provide healthcare to our veterans. I think that is what we are here for. But the Republican majority wants to stand up for giant corporations that put workers at risk. They want to stand up against good, safe, well-paying jobs. That is their priority in the new Congress. If they succeed, it will be the American taxpayers and the American workers who quite literally pay the price.

I yield the floor.

THE PRESIDING OFFICER (Mr. MORAN). The Senator from Hawaii.

Mr. SCHATZ. Mr. President, yesterday the New York Times published a story about the nearly 100 Federal protections this administration has attacked. The article highlighted a few of the outcomes of these attacks. For example, telecommunication companies are no longer required to take reasonable measures to protect the Social Security numbers of their customers, and people with severe, disabling mental health issues are now able to buy guns—but do not worry because refugees from war-torn countries like Sudan won't be coming into our country anytime soon. Today, in about an hour, Republicans are going after yet another protection. This time, it is one that protects Americans who work for Federal contractors.

Up until a few years ago, companies that cut corners and saved money by treating their employees badly held a competitive advantage over law-abiding companies in competing for Federal contracts, so President Obama put a policy in place to take away that advantage. In 2015, he put a new protection in place so that the companies that had histories of unsafe working conditions would have to report those histories when they applied for Federal contracts. The idea here is pretty simple: If you want to work for the Federal Government, you need to follow the law, and if you do not, the government has a right to know so that the companies that cut corners do not have a competitive advantage by being able to bid more cheaply over those who play by the rules.

Republicans often claim to be in favor of leveling the playing field for businesses. After all, that was the rationale that was used last month when they voted so that coal companies were no longer responsible for cleaning up

their own messes and oil companies could hide payments to foreign governments. Both of those actions were taken in the supposed spirit of caring about the ability of companies to compete. Business competition was placed above the rights of communities to clean air and clean water or the right of American consumers to know they are not supporting a dictator when they fill up at the fuel tank.

But now, when it comes to safe workplaces and pay discrimination, suddenly, having companies compete on a level playing field is not the priority. This just does not make sense to me. This policy was good for workers, good for taxpayers, and good for companies that play by the rules. We should all agree that companies that have good safety and wage records should not be placed at a competitive disadvantage, but the Republicans are giving Federal contractors a green light for pay discrimination and unsafe working conditions. That is the only signal we send by taking away this policy from the previous administration. This is yet another example of the empty words of an administration that claims to care about empowering women in the workplace.

Last week, the President signed two Executive orders that were designed to appear to promote women in the workplace, but when you look beyond the photo-op and the actual orders, they do not do a thing for women in the workplace. They do not put one Federal dollar toward advancing gender equality and gender equity. Now the Republicans are putting a bill on the floor and eventually on the President's desk that will make it easier for companies that discriminate against women in the workplace to get Federal dollars.

If this administration and if this Congress really care about making sure women do not face bias and discrimination, if they really care about businesses being able to compete on a level playing field, then why attack this protection?

I urge my colleagues to do the right thing and vote to keep the fair pay and safe workplaces protection in place.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, over the years, Congress has enacted laws to make workplaces safer and fairer and to raise wages for American workers. These laws protect American workers. These laws make America more productive. And these laws help to preserve good, safe, middle-class jobs.

The Fair Labor Standards Act introduced the 40-hour workweek, established a national minimum wage, and guaranteed time-and-a-half for overtime. The Occupational Safety and Health Act ensures that employers keep the workplace free from hazards like toxic chemicals, excessive noise levels, mechanical dangers, or unsanitary conditions. The Civil Rights Act of 1964 prohibits discrimination by employers because of race, color, religion,

sex, or national origin. The American with Disabilities Act prohibits unjustified discrimination based on disability. The Rehabilitation Act of 1973 requires affirmative action to employ qualified individuals with disabilities. The Age Discrimination in Employment Act forbids employment discrimination against older workers. The Vietnam Era Veterans' Readjustment Assistance Act requires equal opportunity and affirmative action for veterans. The Equal Pay Act addressed wage disparities based on gender. The Family and Medical Leave Act requires covered employers to provide employees job-protected unpaid leave for qualified medical and family reasons. The Davis-Bacon Act requires paying the local prevailing wages on public works projects. And the National Labor Relations Act protects the rights of private sector employees to organize into trade unions, engage in collective bargaining for better terms and work conditions, and take collective action including strike if necessary. These laws are already on the books. It is already against the law for Federal contractors to violate them. The obligation to comply with basic workplace protections applies to employers, whether they are government contractors or not and that obligation will remain in force regardless of what Congress does on the rule today.

At issue today is a rule that simply requires contractors to share information about their history of compliance with workplace protections in the last 3 years before getting a Federal contract. The rule does not impose any new compliance obligations on government contractors.

It has long been a tenet of Federal Government contracting that it is better to contract with responsible contractors that abide by the law, including labor laws. It also furthers economy and efficiency. Many studies find a strong correlation between labor law compliance and performance. One study found that from 2005 to 2009, one quarter of the companies that committed the top workplace violations and later received Federal contracts had significant performance problems on their contracts. It is not surprising that employers that abide by the law also do a better job on their contracts.

In the mid-1990s, however, the Government Accountability Office, then known as the General Accounting Office, found that the Government had awarded Federal contracts worth more than \$60 billion to companies that had violated the National Labor Relations Act or the Occupational Safety and Health Act. More than 10 years later, the GAO found that the pattern continued. GAO found that almost two-thirds of the largest wage-and-hour violations and almost 40 percent of the largest workplace health-and-safety penalties issued between 2005 and 2009 were made against companies that went on to receive new Government contracts. Between 2007 and 2012, 49 Federal contractors responsible for large violations of

Federal labor laws were forced to pay more than \$91 million in back wages.

To help address this problem, in August of last year, the Department of Defense, the General Services Administration, and NASA jointly issued the rule that we are talking about today. The rule amended the Federal Acquisition Regulation to implement Executive Order 13,673 on Fair Pay and Safe Workplaces. That Executive order was designed to increase efficiency and cost savings in Federal contracting by increasing contractor compliance with labor laws. At the same time last August, the Department of Labor issued guidance to help Federal agencies implement the Executive Order and the rule.

The rule also prohibited companies with contracts larger than \$1 million from denying employees who are the victims of sexual assault, sexual harassment, or discrimination their day in court by forcing them to arbitrate these claims.

The rule helps to provide a level playing field for businesses that play by the rules. By requiring disclosure of violations, it encourages contractors to pay fair wages and provide safe workplaces. The rule helps to ensure that the government awards Federal contracts and the taxpayer dollars that fund them to responsible employers that comply with workplace safety laws, antidiscrimination laws, sexual harassment laws, and minimum wage and overtime laws. Without the rule, millions of taxpayer dollars would go to businesses that break these laws.

After my home State of Maryland implemented a living wage standard for contractors, the average number of bids for State contracts actually increased by nearly 30 percent. Nearly half of contractors interviewed by the State government said that the new standards encouraged them to bid, because the standards leveled the playing field.

Under the Federal rule, prospective contractors report the information themselves. The vast majority of contractors adhere to labor laws. If a prospective contractor does not have any violations, it simply checks a box.

Companies that do business with the government employ one in five Americans, so this rule improves the lives of millions of workers.

In September of last year, Donald Trump delivered a speech on jobs at the New York Economic Club. In that speech, Mr. Trump advocated what he called “a new policy of Americanism.” “Under this American System,” Mr. Trump said, “every policy decision we make must pass a simple test: Does it create more jobs and better wages for Americans?” The rule at issue today passes that test. It helps to create better wages for Americans. And repealing the rule would flunk the test that Mr. Trump laid out last year. Nonetheless, once again the Republican majority seeks to employ the blunt instrument of the Congressional Review Act to repeal that rule today.

Some critics label the Fair Pay rule as a “blacklisting” rule. But the rule does not require a contracting officer to deny any contract based on a history of labor violations. The rule simply provides information to contracting officers to help them make decisions that about whether a contractor is responsible. The goal of the rule is to encourage companies to come into compliance—not to bar them.

Enacting this Congressional Review Act disapproval resolution could effectively stop any new rules on the disclosure of labor law violations or the consideration of labor law violations as a requirement for Federal procurement contracts. Enacting this resolution will send the wrong message to companies who are tempted to skirt the law. And enacting this resolution will make it more likely that Federal dollars once again go to law-breaking contractors.

This resolution goes in the wrong direction, and thus I oppose it.

Mr. SCHATZ. 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. FRANKEN. 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. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 10 minutes or 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I rise today to discuss the effort by my Republican colleagues, including the President, to dismantle the Fair Pay and Safe Workplaces Executive order and roll back protections for workers.

For too long, many workers in this country have been subject to dangerous working conditions, wage theft, discrimination, and harassment. While most companies follow the law and play by the rules, a few have cut corners at the expense of workers' rights and safety and have factored in paying penalties as just another cost of doing business. That is not fair for workers, and it is not fair for the businesses that play by the rules. It is time we put a stop to it.

We certainly should not be spending taxpayers' dollars to pay Federal contractors who violate—and sometimes repeatedly violate—Federal labor laws. Repeated violations by Federal contractors is a serious problem.

According to a 2013 HELP Committee staff report, 49 government contractors accounted for 1,776 Federal labor law violations. We are talking about things like an unsafe workplace, discriminating against workers, or failing to pay workers what they earned. Understand when I talk about unsafe workplaces, I am talking about fatalities. But despite these widespread violations, these companies continue to receive taxpayer-funded Federal contracts worth \$81 billion a year.

My colleagues may have seen a recent *Politico* Magazine report on VT Halter. VT Halter is a major Navy shipbuilder, but its safety track record is deeply concerning. In 2009, two workers were killed and five others injured—some severely—when an explosion occurred at a VT Halter shipyard. A month later, they received an \$87 million Federal contract. About 6 months after the explosion, VT Halter settled charges relating to the explosion, admitting that they had willfully violated at least 12 Occupational Safety and Health Administration—or OSHA—workplace safety rules to prevent incidents like this from occurring—an incident in which two workers died. They willfully violated—willfully; that is willfully violated.

That explosion wasn't VT Halter's only incident. In 2009, a worker fell to his death at another VT Halter shipyard where there were no handrails or fall protections. In 2012, the company was fined by OSHA after a worker at a VT Halter shipyard was killed when the lid on a pressurized pot exploded. They were fined again in 2014 for violating crane safety rules after two cranes tipped over, injuring five workers, including one 63-year-old worker who now has the mental capacity of a child.

It doesn't make sense to keep rewarding companies like this with lucrative contracts when they repeatedly—and, again, willfully—disregard basic safety protections.

To address this problem, in 2014 President Obama issued an Executive order that essentially says that if you have repeatedly broken our labor laws, the Federal Government will need to examine a company's compliance record on labor law violations before awarding large taxpayer-funded government contracts. Companies with poor track records will need to prove they are taking action to make sure that these types of egregious labor law violations don't happen again.

In addition to cracking down on repeat violators who bid for Federal contracts, the President's Executive order also includes two other important provisions that I support: a requirement that companies give workers a pay stub each pay period and a provision to make sure workers are able to access justice if they have been wronged.

As the Presiding Officer may know, employers are required, under the Fair Labor Standards Act, to accurately report the number of hours an employee works and their pay. But, surprisingly, employers are not always required to give this information to an employee on a pay stub each pay period. This matters. This matters because when a bad actor cheats its employees by undercounting hours or underpaying wages, it is a lot harder for an employee to recover damages if they don't get a pay stub.

It is often low-income workers who work variable shifts who are most easily exploited in these cases. For example, last year, a group of janitors in the

Twin Cities won hundreds of thousands of dollars of back pay because their employer had miscounted their hours. And because most of them weren't given pay stubs, it took them much longer to discover that they had been underpaid. One of their key demands, in addition to being paid fairly, was that they start getting pay stubs to ensure they don't get cheated again. This seems to me like a sensible thing to ask.

Let's be clear. Most employers already give their employees pay stubs, so this requirement isn't a big change for them, but it makes a big difference for the workers who are most vulnerable to wage theft. And because this provision has already been implemented, repealing it will have real and obvious consequences for working families.

The fair pay and safe workplaces rule also took an important step toward protecting workers' fundamental rights by banning the use of forced arbitration in cases of discrimination or sexual assault and harassment. As we have seen in a multitude of contexts in recent years, corporate America is increasingly preventing its employees or customers from accessing the court, relying instead on forced arbitration to avoid accountability when people seek justice for being cheated or mistreated. And some of the most egregious cases we have heard are from workers whose rights have been viciously violated and whose cases were forced into the dark.

I have made it a priority during my time in the Senate to combat the widespread and harmful use of forced arbitration. In fact, the forced arbitration regulations within the fair pay and safe workplaces rule build on an effort that I successfully championed 8 years ago.

I first became interested in the issue after learning that major Department of Defense contractors charged with performing vital national security functions were using arbitration to sweep cases of sexual assault and harassment under the rug. I heard stories of women who were assaulted or subjected to hostile working conditions while employed by a DOD contractor. And when those women sought justice for the actions—or inactions—of their employers, they were forced into secret arbitration where none of the traditional safeguards of a public court of law apply. As a result, countless other victims were left in the dark about the women's cases, and the contractors were shielded from accountability, both from the courts and from the public eye.

So in 2009, I introduced an amendment to the Department of Defense Appropriations Act that prevented certain DOD contractors from forcing their employees to arbitrate claims of discrimination or sexual assault and harassment. The amendment passed with bipartisan support. In the years since, it continues to be passed on a bipartisan basis as a part of the Defense appropriations process each year, most recently in December of 2014.

Now, it is unclear to me what has changed in the years since we passed my amendment that would make my Republican colleagues shift course. But what is clear is that now is not the time to roll back these critical protections for our workers.

According to the Equal Employment Opportunity Commission, at least 25 percent of American women say they have experienced sexual harassment in the workplace. And recent high profile revelations about abuse—for example, former Fox News chairman Roger Ailes' abuse of his employees, as well as the allegations of sex bias at Kay and Sterling Jewelers—demonstrate that we are far from addressing this issue on a broader scale. So I urge my Republican colleagues to reconsider their support for this resolution. I urge them to not force vulnerable women who have been wronged into the dark and into forced arbitration.

Blocking the fair pay and safe workplaces rule is just wrongheaded. A vote to repeal this rule is a vote to support giving taxpayer dollars to companies that break the law, it is a vote to help employers who cheat their employees out of fair pay, and it is a vote to take away workers' fundamental rights to access to the court.

I urge a "no" vote, and I thank the Presiding Officer for the generous window of 10 to 15 minutes.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The Senator has been recognized for 13½ minutes.

Mr. FRANKEN. Wow, I kind of hit it right on the nail. Am I out of order now saying that? No? Good. That means I have another minute and a half.

I thank the Presiding Officer.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. 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. BROWN. Mr. President, I ask unanimous consent to speak for up to 10 minutes on this resolution.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, Americans are working longer and Americans are working harder than ever before, with less and less to show for it.

Over the last 40 years, GDP has gone up, corporate profits have gone up, executive salaries have gone up—all because American workers are more productive. Again, GDP is up, corporate salaries are up, corporate profits are up, executive salaries are up—all because of the productivity of American workers. Unfortunately—tragically—a big problem in our society is that workers don't share in the economic growth they have created for their companies.

On Friday, at the John Glenn School in Columbus, I rolled out a plan to do something about it. Instead of working to raise wages, the Senate is debating a measure to give large corporations even more ability, more leeway, more opportunity to shortchange American workers. It is as simple as that. One in five Americans works in a company that does some business with the American Government. We are talking about a rule that affects companies employing as much as one-fifth of the workforce. These workers deserve to be paid what they earn. They deserve safe workplaces, just as all American workers do.

Before this worker protection rule was put in place, nearly one-third of the companies in the United States with the worst safety and health violations were receiving taxpayer dollars in the form of Federal contracts. Federal dollars are going to these companies. They then turn around and hire workers in contract with the government and hire workers and cheat them and shortchange them. These corporations broke the law. They didn't pay their employees what they were owed or they broke health and safety rules. Yet they continue to rake in Federal dollars. That is unfair to workers. It is unfair to the good companies that play by the rules. It is unfair to those who are undercut, competitors that willfully and constantly follow the law. The good companies often are losing out. They are playing by the rules, yet lose out to the companies that aren't.

That is why the Obama administration put in place the Fair Pay and Safe Workplaces Executive order. If you want the privilege of doing business with American taxpayers, if you want a contract with the Federal government paid for by taxpayers, you must follow the law. It is as simple as that. That was yesterday. Also, yesterday the rule ensured that workers have accurate information about the hours they work, the overtime pay they can earn, the wages they are being paid—basic things that above-board companies are already doing anyway. That was yesterday.

Today this body is voting to undo that. Why would we want to roll back commonsense worker protections? Why would we reward companies that cheat their workers by giving them more taxpayer dollars? There is only one possible explanation: to make it easier for some big companies to cheat both their own workers and their competitors. When voters reject Washington, it is maneuvers like this they have in mind: Congress watering down rules that protect workers, that protect taxpayers, that let corporations that break the law off the hook.

The President came to Ohio a lot last year. He made a lot of big promises during his campaign. He is already facing a choice on issues like this one. Is he going to keep his promises to working families in Trumbull County, OH, Warren, Mansfield, Toledo, Springfield

or is he going to sell them out in favor of the same old corporate billionaire agenda?

The President has come to a fork in the road. He can go down the fork where workers will do better in this administration—make better wages, have a safer workplace—or he can take the other fork in the road that undercuts wages, that shortchanges workers, that makes the workplace less safe. Unfortunately, the President and, I am afraid, this Senate have chosen that fork in the road, the one that undercuts workers and makes the workplace less safe.

I hope my colleagues will join me in rejecting this attempt to undercut American workers.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. 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. MURRAY. Mr. President, I ask unanimous consent to speak for 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRAVEL BAN

Mrs. MURRAY. Mr. President, before I talk about the Republican's reckless move tonight to roll back important worker protections, I do want to address the President's revised immigration Executive order that he signed just hours ago. He may have rearranged some words, but make no mistake, this is still a ban on Muslims. It still flies in the face of everything this country is about and what we stand for.

Slamming the door shut on refugees and immigrants, no questions asked, is un-American. Just like we saw in January, people across this country are already standing up and saying once again this is wrong, and we will not tolerate broad orders that target some of the most vulnerable people in the world.

I urge the President, if you truly want to keep our country safe, work with us, but we will not sit idly by as you continue to push a hateful agenda that betrays our American values.

Mr. President, I want to turn to the vote that is going to occur shortly here on the floor. I thank all of my colleagues who will be joining me this evening. When President Trump was running for office, he claimed he was going to be a President who fought for the middle class. He made a promise that he wasn't going to do what most Republicans have done in recent years and simply work for millionaires and billionaires. He was going to be different. He would be someone workers could count on.

We are just over a month into this Presidency, and it couldn't be clearer; President Trump is breaking that

promise, whether it is his Cabinet picks or billionaires and Wall Street bankers and corporate CEOs or his rush to destroy our healthcare system and create chaos for families across our country or what Republicans have chosen to bring to the floor tonight: another effort that would hurt our workers, hurt the middle class, and hurt our economy.

Here is what I think we should be doing in Congress. We should be working on ways to boost economic security for more working families, and we should be helping our economy grow in the way that we know is strongest: from the middle out, not from the top down.

We have made some important progress over the last several years, but I think all of us on either side of the aisle agree there is a lot of work left to be done. That is certainly what has been clear to me as I have traveled across my home State of Washington, listening and meeting with workers and their families. Families are working hard. They are meeting their responsibilities, but far too many are still unable to get ahead.

Again, that is the topic we should be discussing tonight: how to support and empower more workers. Instead, we are here today because President Trump and my Republican colleagues either simply are not getting that message or they are too busy focusing on what is best for the folks already at the top, because today Republicans are poised to roll back a rule which helps protect our workers from wage theft, from discrimination, from unsafe workplaces, and more.

I want to take just a few minutes to make very clear what is at stake for millions of working families if Republicans roll back this rule. Each year, far too many workers are deprived of overtime wages or they are denied basic workplace protections. They have endured illegal discrimination, and they face unwarranted health or safety risks. That is unacceptable, and it has to come to an end.

Last year, Democrats, working with the previous administration, pushed to finalize what is now known as the fair pay and safe workplaces rule. For far too long, the government has awarded billions of taxpayer dollars to companies that rob workers of their paychecks and fail to maintain safe working conditions. This rule helps to right that wrong. Under this rule, when a company applies for a Federal contract, they will need to be upfront about their safety, health, and labor violations over the past 3 years. That way, government agencies can consider an employer's record of providing workers with a safe workplace and paying workers what they have earned before they grant or renew a Federal contract. To be clear, this does not prevent companies from winning Federal contracts. It does not single out companies. It does not deny companies the right to be heard. It simply improves

transparency and coordination so government agencies are aware of companies' violations and can work with them to make sure they come into compliance with essential labor laws.

Again, the emphasis on this is not punishment but on helping bring more and more companies into compliance with the law and zeroing in on violations that are, and I quote from the rule: "Serious, repeated, willful, or pervasive." Not only are these measures common sense, but they would have major benefits for our workers, our businesses and, by the way, our taxpayers. It would help hold the worst violators accountable.

American taxpayers should have the basic guarantee that their dollars are going to responsible contractors that will not steal from their workers or expose their workers to safety hazards. It would protect basic worker rights, and that, in turn, will help expand economic security for all working families, and it will level the playing field for businesses that do follow the law.

I think we can all agree that businesses shouldn't have to compete with bad actors that cut corners and put their workers' safety at risk or cheat their workers on their paychecks.

All of this, frankly, is pretty simple. When workers arrive on the job, they deserve to know they will be treated fairly, that they will be provided with a safe and healthy workplace, that their right to collective bargaining will be respected, and they will be paid all the wages they earned. Businesses that contract with the government should set an example when it comes to each of these concerns, and taxpayer dollars should only go to businesses that respect these fundamental worker protections.

As I said, time and again, families nationwide are sending a very clear message at marches, with phone calls and letters, online, and in their communities. They expect and are demanding that their representatives are truly committed to working for them. I, for one, am committed to standing with them. I know my colleagues are committed, and we are prepared to fight back.

Let's be clear, in rolling back these protections, President Trump and his party are yet again breaking their campaign promise to put our workers first. Workers will be hurt, wages will go down, rights will be undermined, lives will be put at risk. Tonight I am here to urge my Republican colleagues to drop this deeply harmful effort, reverse course, and stand with working families once and for all.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, first, I thank my colleague from Washington State who has been such a leader on issues like this, throughout this session of Congress and throughout her entire career.

I want to add a few comments on H.J. Res. 37, which I strongly oppose. More

than one in five Americans is employed by a company that has at least one Federal contract. Unfortunately, every year tens of thousands of workers are denied overtime wages, not paid fairly because of their gender or age, or have health and safety put at risk by corner-cutting contractors. Those contractors who obey the rules are put at a disadvantage by those who cut corners, and that is what this proposal that President Obama put into effect was supposed to curb. That was the rule.

What do we find President Trump and our Republican colleagues doing? Once again, favoring the special interests, Big Business, over the working people. As my colleague from Massachusetts, Senator WARREN, just said: "This is a debate about whom Congress actually works for." The President tries to present himself as a populist favoring working people. That is in his speeches, but in all of his actions, just about every single one, when there is a special interest, a business interest at stake versus a worker interest, he sides with the special Big Business interests.

The President promised to be a champion for working people in his inaugural address. An hour later, he signed an Executive order making it harder for working people to get a mortgage. Last week, the President made a whole host of claims about what his government would do only 24 hours after releasing a budget blueprint that would take a meat ax to the Federal agencies he was talking about. He had this beautifully sympathetic moment about medical research, and his budget is going to slash it. He talked about education as a major issue in America. His budget will slash that.

Again, less than a week after another populist speech to Congress, the President is doing exactly the opposite of what he said he was going to do—stick up for working men and women—by signing this resolution. President Trump promised: I will deliver better wages for the working class. Well, President Trump, more than 300,000 workers have been victims of wage-related labor violations while working under Federal contracts during the last decade. Are you now going to sign a bill, President Trump, that would make it easier for recidivist Federal contractors to skirt wage standards and hurt their workers? It sounds like it to me. This administration's hypocrisy knows no end. It is not populist. It is not for the working people, not in what they do.

In his joint address to Congress, the President said, he would "ensure new parents have paid family leave." Now is he going to sign a bill that makes it easier for companies that violate family leave laws to win contracts from the Federal Government? If the President was true to his populist rhetoric, he would say this resolution is dead on arrival because it hurts the working people. But if past is prologue, he will not. He will think that his tough talk

about standing up for the working class is enough to cloak a hard-right, pro-corporate, pro-elite agenda.

So I challenge the President: If Republicans pass this resolution, show some courage and veto it because you are not going to get away with constantly, constantly saying that you are in favor of working people and signing legislation that hurts them.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). All time is expired.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

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?

The yeas and nays have been previously ordered.

The clerk will call the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Georgia, (Mr. ISAKSON), and the Senator from Alaska (Mr. SULLIVAN).

THE PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote:

The result was announced—yeas 49, nays 48, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—49

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Johnson	Shelby
Corker	Kennedy	Strange
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	McCain	Toomey
Cruz	McConnell	Wicker
Daines	Moran	Young
Enzi	Murkowski	
Ernst	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

NOT VOTING—3

Flake	Isakson	Sullivan
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The joint resolution (H.J. Res. 37) was passed.

The PRESIDING OFFICER. The majority leader.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF THE INTERIOR

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 44.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 44) disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976.

The PRESIDING OFFICER. The Senator from Illinois.

TRAVEL BAN

Mr. DURBIN. Mr. President, earlier today, President Trump signed a new Executive order that bans travel to the United States from a new list of Muslim-majority countries and bans all refugees. This new Executive order includes some cosmetic changes, but these changes do not alter the fact that President Trump's travel ban is still unconstitutional and still inconsistent with the values of this Nation.

This Executive order plays directly into ISIS's argument that the United States is waging a war against a religion. The President's first travel ban was blocked by multiple Federal courts, and his latest, I hope, will face the same fate.

Let's consider how we have arrived at this point. During his first full week in office, President Trump signed his first Executive order that banned Muslims and refugees. This order resulted in chaos in airports across the country. Dozens of legal immigrants were detained, not because they did anything wrong or because they were any danger to our Nation. It was solely because of where they came from. There was an Iraqi immigrant who put himself and his family in harm's way by working with American troops as an interpreter, two disabled seniors—a husband and wife—and a 5-year-old child. These were people who were the victims of President Trump's first Executive order.

The order faced widespread resistance from the American people, the courts, and even from the administration itself. Acting Attorney General Sally Yates said the Justice Department could not in good conscience defend the President's Executive order. So the President fired her.

Now comes this new Executive order. We know that, over time, Ms. Yates was right. She stood for principle, and when multiple Federal courts blocked that Executive order, we understood that she appreciated the law, unlike those who crafted this terrible order.

Rather than repeal the Executive order or defend it in court, the Trump administration is trying to evade these