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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. MIMI WALTERS of California).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 2, 2017.

I hereby appoint the Honorable MIMI WALTERS 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. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

REMEMBERING PAT GILBREATH

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

Mr. AGUILAR. Madam Speaker, today, I rise to honor the life of someone I was lucky to call a colleague and mentor—Redlands City Council member Pat Gilbreath.

I was heartbroken to learn of Pat's passing in early October, but I will always be grateful for her countless contributions to our community. Her imprint can be seen throughout the city of Redlands and our region. She was the earliest advocate for Redlands' passenger rail, supported the Healthy Communities Initiative and Open Space Initiative to honor our citrus heritage.

When I was just starting out on the city council, Pat's leadership and poise helped shape the type of public servant that I aim to be. She was pragmatic, measured, and listened intently to the public.

I will always be thankful for everything that she taught me, not the least of which was how to hide the chocolate in the city council dais so we could eat it during our late night council meetings.

A loving mother and grandmother, she was always proud to beam about her family. I know that when they look at her legacy and the impact she made in the community, her family can be just as proud of her.

Pat will always be remembered in our region for her thoughtfulness, her dedication, and her problem-solving ability. I will always remember her for her friendship.

ERIE COUNTY INNOVATION BEEHIVE SUPPORTS ENTREPRENEURS

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I recently visited the Innovation Commons at Penn State Behrend in Erie County, which is an idea lab that offers support for entrepreneurs and startup companies.

It opened in January of 2016 to innovators, including those at the student level, who sought a place to organize, collaborate, compose, and construct their ideas.

The Innovation Commons is a part of the Innovation Beehive, which is housed at, and managed by, Penn State Behrend. It is in partnership with three additional Erie County universities: Mercyhurst, Gannon, and Edinboro. It was the first of its kind in 2016, and its success established a business network across Erie County—or, in other words, the beehive.

The beehive sites will operate as both individual service providers and as part of a larger, connected network, with multiple points of entry for entrepreneurs. All services will be available to the public and to businesses seeking to develop new products or enter new markets.

Each lab will specialize in different aspects of product or business development:

Edinboro University will provide advertising, marketing, and public relations strategies for business startups. Both current students and those entrepreneurs in the community can all seek assistance with all of these universities. The lab, which will be equipped with high-end printers, art supplies, drafting tables, and other multimedia support, will be located in the Baron-Forness Library;

Gannon University will focus on business development, including business analysis. The Gannon beehive, which will be located in the Center for Business Ingenuity, will offer access to the Small Business Development Center and the Erie Technology Incubator;

Mercyhurst University will provide business intelligence services and solutions to help developers commercialize their ideas. Blended faculty-student teams will use high-end computers, plotters, and other tools to develop custom intelligence products from within the Ridge College of Intelligence Studies.

Madam Speaker, this northwest Pennsylvania Innovation Beehive network is working to serve the region. It will enable innovators to access universities' resources and applied research

capabilities for new business development or expansion at little to no cost.

I recently participated in a roundtable discussion with the university presidents, and I am very excited to see this collaborative effort take root in Erie County. This network was made possible thanks to the Ignite Erie Industry and Business Acceleration Collaborative, the Erie County Gaming Authority, and the Appalachian Regional Commission.

This truly is a collaborative effort, and it is my hope that the beehive will soon be abuzz with good ideas throughout Erie County. This is an excellent partnership that will give innovators and students hands-on, real-world experience to test their ideas and make their dreams become reality.

Madam Speaker, I am glad to see Erie County leveraging the strengths of these four universities for the betterment of its community. It is an exciting time in Erie County. I look forward to seeing what this brings to the region.

REPUBLICAN TAX PLAN

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

Mr. JEFFRIES. Madam Speaker, the so-called Republican tax plan will increase taxes on the middle class, explode the deficit, and undermine Medicare and Medicaid. It will saddle your children and grandchildren with more than $1 trillion in debt, simply to provide millionaires and billionaires with a massive tax cut.

Now, House Republicans will argue that trickle-down economics, supply-side economics, and dynamic scoring will somehow magically save the day. But the notion that massive tax cuts for millionaires and billionaires will somehow result in strong economic growth is a phony, fraudulent, and fake argument. It has no basis in reality. There is no evidence to support this fantasy.

When Ronald Reagan cut taxes on millionaires and billionaires, it didn't result in strong economic growth. It led to a massive deficit.

When George W. Bush cut taxes on millionaires and billionaires, it didn't result in strong economic growth. It led to the Great Recession.

When the Republican Governor of Kansas cut taxes on millionaires and billionaires, it didn't result in strong economic growth. It led to prison riots, overcrowded schools, and crumbling infrastructure.

We cannot allow this scheme to happen to the United States of America. The American people deserve a better deal.

VETERAN-OWNED SMALL BUSINESSES

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

Mr. FITZPATRICK. Madam Speaker, our veterans represent one of the most highly skilled workforces in American history—the product of rigorous training, an ironclad commitment to teamwork, and the remarkable ability to succeed where others might fail. It is no wonder that veterans are 45 percent more likely to be self-employed than nonveterans. In total, veteran-owned businesses make up nearly 10 percent of all businesses in the United States and account for more than $1 trillion in business receipts every year.

One of those businesses is Navmar Applied Sciences Corporation, based in Warrington. Owned by Air Force veteran Tom Fenerty, Navmar engineers technology to make sure that our military has the best tools possible to complete any mission. Tom has also committed to employing veterans in the community. I am privileged to represent Tom and others like him in Congress.

In honor of their service—both in uniform and as part of our economy—I am proud to recognize the importance of veteran-owned small businesses in our community by introducing and supporting H. Res. 588, which recognizes National Veterans Small Business Week this week, from October 30 to November 3.

Madam Speaker, I urge my colleagues—and all Americans—to join me in supporting the veteran-owned small businesses in our community.

NATIONAL OBESITY CARE WEEK

Mr. FITZPATRICK. Madam Speaker, I rise today to recognize National Obesity Care Week and the over 90 million adult Americans living with obesity. National Obesity Care Week is recognized during the first week of November, when individuals and organizations from across the country raise awareness about the serious chronic disease of obesity.

Leading medical organizations, including the American Medical Association, the Obesity Society, the American Academy of Family Physicians, the American Association of Clinical Endocrinologists, and the World Obesity Federation, all recognize obesity as a disease and the belief that it should be treated as such.

National Obesity Care Week aims to advance an evidence-based understanding of obesity and widespread access to respectful, comprehensive, and appropriate care. Obesity is a complex disease, linked to over 50 disorders, including type 2 diabetes, hypertension, and cardiovascular disease. Over $1.4 trillion is spent in the U.S. on direct and indirect costs for health-related conditions related to obesity each year.

This must change, Madam Speaker. It is time for action, and I commit to being part of the solution to improve care for obesity. I urge my fellow Members to join me in recognizing obesity as a serious, chronic disease and working towards improving access to evidence-based tools for chronic weight management.

DREAMERS

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

Ms. CLARK of Massachusetts. Madam Speaker, DREAMers are young people who are fighting to give back to the only country they have ever known as home. They are not political bargaining chips, and they didn't ask to be at the center of this immigration debate. They were brought here before they were old enough to know the difference. They grew up as our neighbors, our kids' classmates, and our friends. They are also taxpayers, teachers, medical students, and they are young people who are signing up to serve in our military.

Let me tell you about some of the DREAMers I have met in my district.

Richard Kim is a student at Tufts University. He was brought here by his parents from Korea when he was just 2 years old. His parents sacrificed a great deal in America—even becoming homeless and living in a car for a while—for the chance that Richard would have a better life than they had.

Their son worked hard, got good grades, and, ultimately, was admitted into one of the best schools in the country. Now he is a freshman at Tufts University, studying international relations. One day, he wants to work here in Congress. Richard calls himself 100 percent American. In his words, he says: I grew up here just like everyone else. I want to make a difference in America because this is the place I call home.

Let me tell you also about Mario Delgado.

In Mario's words, he says: I know what it is like to live like a shadow in a room full of light, keeping my head down to make sure that I don't get sent back to a country that I know nothing of.

So Mario kept his head down. He studied, worked through high school to help pay the bills, and saved up money for the future. Mario expects to graduate from college next year. He wants to work in the renewable energy industry. He says he intends to help America with the advancement of fusion energy.

And then there is Marla, who started attending school in Framingham, Massachusetts, when she was in the first grade. She describes learning American history, listening to popular music, and watching the Disney channel like the rest of her friends, but something was different.

□ 1015

Unlike her friends, she realized she couldn't get a driver's license. As a teenager, she suffered the crushing fear that every knock on the door could mean that she would never see her loved ones again. She feared that applying for college would mean exposing her family, a cruel reality for someone who was the valedictorian of her graduating class.

When DACA was enacted, a life of fear became a life of possibility. Marla could now drive. She could earn and save money. She could go to college and contribute to her community.

Marla not only went to college, she graduated at the top of her class. She bought a home and is now contributing her talents to the Commonwealth's innovation economy.

Last week, Marla bravely came to me as a DREAMer, in front of her coworkers, because she wanted to make a difference.

Madam Speaker, DREAMers are bright, young people who are American in their hearts and in their minds. They are American in every way but on paper, and their dream for a better future is unmistakably American.

Their families have often endured poverty, violence, and persecution, but despite it all, they have excelled and charted their own path to success. Though they know no other country, they grew up with the threat of deportation and that their families could be torn apart at any given moment.

The DACA program showed them a way to come out of the shadows, to lift their heads and reach for their dreams, and give back to a country they call home. Through DACA, 800,000 young people have been able to contribute to our workforce and our Armed Forces.

As Marla put it, 800,000 is not just a number; it is birthdays, school events, graduations, homes, and memories.

Reversing DACA would mean sending these talented young people to a country they don't even know, where they could potentially be our competitors in our workforce.

We have all the tools we need to prevent that from happening and keep DREAMers like Richard, Mario, and Marla in our communities, where they can help us build successful futures. All we need is for leadership to allow us a vote.

What these young people deserve is no different than what we want for our own children. If we fail to pass the Dream Act, we not only fail them, we fail to meet our potential as a country. Let's do what the vast majority of Americans are asking us to do. Let's give our DREAMers and the Dream Act a vote.

CONGRESSIONAL REVIEW ACT PROGRESS

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

Mrs. ROBY. Madam Speaker, I would like to start by saying I am heartbroken and shocked by the terror attack in New York this week. This atrocious act of hatred and violence has no place in this country, and we must make it clear that we will not stand for it.

I offer my sincere condolences to every single person who has been impacted by this senseless tragedy. My family and I will be in prayer for everyone who has been hurt by this act, whether physically or emotionally.

I also want to thank law enforcement officers who responded so quickly, who saved lives and apprehended the suspect. As scary as this incident was, we can all be reassured by the courage and professionalism of our law enforcement, the military, and the intelligence community that work together to keep our country safe.

Madam Speaker, it has been a busy 10 months here in the House of Representatives. We have passed more than 360 bills this year alone in a unified effort to deliver on our promises to the American people. Of course, many of those bills are aimed at rolling back the Big Government policies of the Obama era. So I would like to say we are doing a lot to make sure that the Federal Government does less.

As a limited government conservative, I am especially glad that we have taken action to return some of Washington's bureaucratic power to the American people. The last 7 years saw the emergence of a regulatory state that never stopped in its mission to grab power and impose its will at the expense of everyday Americans. This town is overrun with Federal agencies and departments where bureaucrats sit around every day concocting rules and regulations that might sound like a good idea but, in reality, end up weighing down businesses, destroying jobs, and limiting freedom.

In his 8 years, President Obama added 18,000 pages to the Federal Register, amounting to 6 pages added every day that he held office. This habit costs American households roughly $15,000 per year, each.

While President Obama is no longer in office, his regulatory state is alive and well, but not for long. Madam Speaker, the people of Alabama elected me to help put an end to that, and I am proud to report that is exactly what we are doing. The House is changing the game because the American people deserve better than to pay for unnecessary Big Government mandates. We have utilized the Congressional Review Act to strike 15 Federal regulations that were imposed by executive action.

What kind of regulations?

One extended intrusive, overreaching, and punitive environmental penalties on energy companies, costing tens of thousands of jobs, but not anymore.

One attempted to force State and local schools to use Washington's preferred teacher preparation programs, undermining local control—not anymore.

One restricted States' ability to enforce existing laws stopping otherwise able-bodied drug abusers from receiving unemployment benefits—not anymore.

One attempted to take away the Second Amendment rights of millions of Americans without due process by arbitrarily restricting Social Security disability beneficiaries from purchasing firearms—not anymore.

Finally, one attempted to force States to steer millions in Title X funding to abortion provider Planned Parenthood, even over the State's objections—not anymore, thank God.

These rules no longer exist because this Congress, working together with the Trump administration, struck them one by one. In all, 15 bills rolling back these Big Government policies have been passed and signed into law.

Madam Speaker, I am proud of the work the House of Representatives has done, and I hope it can give us momentum for tackling more pressing issues like tax reform and infrastructure.

KEEP IT SIMPLE, STUPID

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

Mr. COHEN. Madam Speaker, on Tuesday, we had the holiday of Halloween, and a character came to my house with paint all over their face, and I thought they were the musical group KISS. Well, they weren't.

They were the Trump administration, disguised as the Trump administration is, and with the simple logo of KISS: Keep it simple, stupid. That is what the Trump administration's attempts are to the American people.

The previous speaker made some comments about regulations and said that the Obama administration wanted to stop Second Amendment advocates from getting guns, arbitrarily, for Social Security recipients. Well, that sounds good. It is simple. Keep it simple.

Well, they weren't Social Security recipients. They were Social Security recipients who had been declared incompetent to manage their own affairs. That is who they said shouldn't get guns, not Social Security recipients.

The previous speaker said something about abortion provider Planned Parenthood getting their funds cut off. Planned Parenthood does most of their work outside of the arena of abortion. Mostly, they do women's basic health services, and by cutting that off, they are hurting women, particularly in my community and other communities where poor people often get their healthcare, their women's care, from Planned Parenthood, and they are depriving them of that healthcare.

Just yesterday, in the subcommittee of which I am the ranking member, we had a hearing on changing Roe v. Wade. They called it the Heartbeat bill. In reality, it is destruction of women's right to choose, a fundamental right established in Roe v. Wade, and an unconstitutional bill that could limit the right of a woman to have an abortion as early as 6 weeks, while right now it is 20 to 24 weeks, the period of viability.

They brought a sonogram in and showed a sonogram on the monitor. What they didn't do when they talked about their ''culture of death'' was bring in any lifesaving equipment that

will not be available when they cut $1 billion from Medicaid and $500 million from Medicare in their tax proposal, when they put 23 million people off of healthcare, the Affordable Care Act, which is what they tried to do but couldn't accomplish.

It is difficult to sit here and watch what is happening to our country. Having the Trump administration tell the middle class they are going to get a tax cut on the one hand, but on the other hand, they are creating over a trillion dollars in debt, where is that debt going to come from? It is going to come from programs that the middle class will have to give up, so they will be net losers.

One of the main thrusts of their tax proposal is to eliminate the State tax, originally to do it immediately. Now they are talking about maybe phasing it out over 5 or 6 years. That will cost the Federal budget $290 billion. That will come from Pell grants that give people the opportunity to go to college and not have a terrible debt over their heads when they leave; from SNAP payments that give nutritional benefits to people that otherwise would go without, the families that would go without food and proper nutritional benefits; and even LIHEAP, which gives help with heating bills to people who can't afford it in difficult winter conditions.

What they are proposing is not a middle class tax cut. It is a cut for the wealthiest in our country, and that is who will get the benefits. That is who they are about.

Their whole program is KISS: Keep it simple, stupid. That is the only way they can try to sell their wealthy tax break, their aims to prevent women from getting proper healthcare, and their attacks on women in general.

It is unfortunate what we see, what we saw earlier this week in the indictments handed out to Mr. Manafort, Mr. Gates, and the guilty plea of Mr. Papadopoulos. Individuals involved with the campaign and the administration have not been the best, as they were supposed to be. In fact, they are suspected of criminal behavior, and one has admitted to it.

Our democracy is at risk, and I fear what could happen to it. That is why I introduced an amendment to the Constitution to limit the President's pardon power so he couldn't pardon himself, members of his family, members of his administration, or paid members of his campaign staff.

He has already pardoned Joe Arpaio, and he has threatened to use that power in furtherance as he discussed the possibility of pardoning himself. If he does so, any of these pardons, it will be a test of our democracy, and it will be a test of my colleagues on the other side.

We must protect democracy and protect America from unlawful activity.

God bless America.

NEW YORK CITY TERRORIST ATTACK

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

Ms. KAPTUR. Madam Speaker, earlier this week a driver whom law enforcement has identified as Sayfullo Saipov, violently rammed his pickup truck into a crowd in Manhattan, killing 8 people and injuring 11. Local officials called it the deadliest attack since September 11, 2001, in that city.

My heart breaks for those who have lost their lives—for their families, for their friends, and for their colleagues—due to this violent act. Two Americans and six of whom were tourists visiting our Nation and New York City to experience the wonders of America's largest metropolis met the crass act, the murderous act of a terrorist.

Our Nation's deep gratitude goes out to the first responders. Imagine these heroic Americans who intervened under very chaotic circumstances to bring down this criminal. Imagine yourself in that position.

This attack raises many questions about how this individual came to America and how he was allowed to stay. The President's tweets obliquely blame this person or that person, some in Congress, some not in Congress, but he misses the larger point: our Federal Government, the legislative branch—the first defined in our Constitution—the executive branch, and the judicial branch, need to work together to tackle our flawed immigration system.

□ 1030

How can we make it more secure while upholding our values as a nation of immigrants? The Bible reminds us: At one point, you and your predecessors and your family were aliens, too.

These are the questions to which we should be dedicating ourselves. We have security systems we must perfect, but it requires working together. We are supposed to be the adults in the Republic. A true leader would convene a working group of both parties, along with other experts, to tackle these security challenges brought to light again by this tragedy. Wouldn't that be constructive? Instead, there is more division. That is not a recipe for success.

Let's not forget a comprehensive bill passed in the Senate in 2013, on a vote of 68–32 and a bipartisan House companion bill that had 201 cosponsors, but the Republican-controlled House here refused to bring that bill to the floor for a vote. That bipartisan reform bill on immigration eliminated the diversity visa lottery by which the murderer got into this country. Imagine if that bill had been passed. We would be in a different position.

We can work together, but we must move past the fear-mongering, the talking points, the cheap political stunts to appeal to a media that runs 24/7 and just looks for more fodder. Our job in Congress is to defend our Constitution and, in so doing, defend liberty. This includes our primary responsibility to work together to assure that our people feel safe and secure. We defend the Constitution by defending and protecting them.

The goal must not be division. The goal cannot be shallow attention and tweets on social media and cable news. Our people have a higher calling that our Constitution defines. The recent terrible tragedy in New York City reminds us that unity is always powerful, and it surmounts division.

It is time for that unity in this Capitol, and I look for the leadership in the Presidency, in this Chamber, and in the judicial branch to achieve it.

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 32 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Pastor Kenneth Codner, Grace Baptist Church, Bellefonte, Pennsylvania, offered the following prayer:

Heavenly Father, I am humbled to be able to stand before You on behalf of this assembly here today.

Lord, we are sinners, deserving none of Your favor. But, Father, I come to You on the merit of the Lord and Savior Jesus Christ, who washed me from my sins in His shed blood.

Father, we are aware, more than any, of the bitter divisiveness throughout this room and across this Nation of ours. I know that this grieves Your heart, Father. I pray that we would repent of our sins, that You might forgive them and heal this land of ours.

Father, I pray that You will work in the hearts of the Members of Congress, that they be willing to put aside their political expedience and partisan politics and personal agendas, that they would strive to do what is best for our Nation as a whole and uphold the Constitution which they avowed to uphold, that they would seek to do what is pleasing in Your sight, that they would seek Your will and wisdom for the decisions of this day and each and every day.

I ask these things in the precious name of Jesus Christ, my Savior.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

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

Mr. GENE GREEN of Texas 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.

WELCOMING PASTOR KENNETH CODNER

The SPEAKER pro tempore. Without objection, the gentleman from Pennsylvania (Mr. THOMPSON) is recognized for 1 minute.

There was no objection.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to welcome Pastor Kenneth Codner to the House of Representatives as today's guest chaplain.

Pastor Codner is a native of Owego, New York, and he graduated from Alfred Agricultural and Technical College in 1973.

A couple of years later, through the help of a coworker, he trusted the Lord Jesus Christ as his personal savior. And he had a desire to make his life count for God.

In 1976, he enrolled in the Bible program at Tennessee Temple University. Two years later, he transferred to North Star Bible Institute in Rochester, New York, graduating in 1983, with a degree in theology.

In June 1983, he moved to Kansas to be the pastor of the Gove Bible Baptist Church, serving there for 17 years.

He is married to Eileen Garrison, and God blessed their union with five wonderful children.

In September of 2000, they moved to Bellefonte, Pennsylvania. In 2002, he founded the Grace Baptist Church, where he has served as pastor ever since.

Mr. Speaker, it is an honor to have Pastor Codner and his family here today.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF S. 782

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 28) providing for a correction in the enrollment of S. 782, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 28

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill S. 782, the Secretary of the Senate shall make the following corrections:

(1) In section 2, strike ''42 U.S.C. 17601 et seq.'' and insert ''34 U.S.C. 21101 et seq.''.

(2) In section 2, strike ''42 U.S.C. 17617(a)(10)'' and insert ''34 U.S.C. 21117(a)(10)''.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

AND THE FANS GO WILD

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

Mr. POE of Texas. Mr. Speaker, it is game seven of the World Series. Best hitting team in baseball, the Houston Astros Orange, vs. the best pitching team in baseball, the LA Dodgers Blue. The series is tied up three games apiece.

Top of the second inning, Springer is at the plate. It is the third pitch. Springer loads up and belts it. Home run. Springer smacks his fifth round tripper of the World Series. The Astros are up 5–0.

Next inning—next several innings—all the bats are silent, except LA, the best record team in baseball, gets a run.

It is the bottom of the ninth. The Astros take the field. Score: 5–1. One out. Two outs. Houston pitcher Morton sends a sinker straight across the plate. It is a ground ball. Three outs.

It is all over but the shouting. Astros win! Astros win! Astros win! World Series Champions of 2017.

The championship predicted in 2014 by ''Sports Illustrated'' with Springer on the cover finally happens after 55 years.

And the city of Houston goes ASTRONomical.

And that is just the way it is.

TAX PLAN

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

Mr. HIGGINS of New York. Mr. Speaker, the Tax Policy Center, the Wharton School, and virtually every rational economist have reviewed the House Republican tax cut plan and the results are clear: no new good economic growth, big debt and deficit, and big tax cuts for corporations and very rich Americans.

Three million wealthy Americans will get a tax cut next year of $220,000; 250 million not-so-rich Americans will get a tax cut of $221. If you make $730,000, your income next year will increase by 8.5 percent. If you make $150,000, it will increase by 1 percent.

Where are all of the deficit hawks? Where are any of the deficit hawks?

This tax plan is nothing more than fraud being perpetrated against middle America.

I ask my colleagues to reject this plan.

CHAMPIONING HEALTHY KIDS

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

Ms. STEFANIK. Mr. Speaker, I rise today to urge my colleagues to support the CHAMPIONING HEALTHY KIDS Act. This critical healthcare legislation provides a 5-year extension to the CHIP program that so many children and low-income families rely on.

In my district alone, over 21,000 children use CHIP for access to low-cost healthcare services.

I am also proud that this legislation includes a needed 2-year extension of funding for community health centers. This is an issue I have worked hard on, as almost 95,000 people in my district receive critical healthcare and preventative services from these centers.

There is still much more work to do to improve our healthcare system for families in the north country.

In Congress, I will keep fighting to protect the programs our district depends on, and I will continue working toward the affordable, high-quality healthcare system that my district deserves.

CHILDREN'S HEALTH INSURANCE PROGRAM

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

Mr. GENE GREEN of Texas. Mr. Speaker, first of all, I want to thank the Houston Astros for winning the World Series and giving some folks in Houston and southeast Texas something to cheer about. We have had a tough few months, but you could see from last night that there is a lot of cheering in Houston.

But I am here to talk about a major issue that is really important: the Children's Health Insurance Program—the CHIP program—and the federally qualified health centers. Both programs are bedrocks of our health system, providing health insurance for over 9 million lower income children, and serving on the front lines of primary care, providing high-quality primary and preventative care for 25 million Americans.

Congress let funding for these programs expire more than a month ago, and we must act in a bipartisan manner to strengthen and sustain them. Both CHIP and community health centers have always had strong bipartisan

support since their creation 20 and 50 years ago, respectively, but not this time.

We should not cut Medicaid to fund these two programs. You are taking money away from the poorest children to give to the less poor children. We need to support vaccination programs, infectious disease detection and prevention, and chronic disease prevention. We need to make sure this bill is bipartisan, and it is not right now.

DREAMERS

(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, there are less than 21 legislative days left this calendar year, and the House has yet to vote for a permanent solution to protect DREAMers from deportation.

H.R. 3440, known as the Dream Act, introduced by Congresswoman LUCILLE ROYBAL-ALLARD and me, is an effort to put an end to the fear and the uncertainty that surrounds over 800,000 young immigrants living in our country.

This bill will allow qualified DREAMers an opportunity to better plan for their future in the only country they truly know as home—the United States.

After several years, they will be able to apply for conditional permanent residency, and eventually for citizenship. And during that time, they will continue to participate in their daily activities, such as contributing to our communities, helping our economy, and showcasing their talent and ingenuity.

Mr. Speaker, let's do what is right for these young immigrants because they are already Americans in their hearts and minds. Let's bring the Dream Act for a vote so that these young professionals can make their American Dream a reality. The clock is ticking, Mr. Speaker.

REAL TAX REFORM FOR REAL PEOPLE

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

Mrs. DAVIS of California. Mr. Speaker, I have received hundreds of letters from constituents who are deeply worried about the proposed tax plan.

One San Diegan told me that, without the State and local tax deduction, his family of seven faces a loss of over $40,000 in deductions.

Another constituent told me that his family would lose $20,000 in take-home pay under this tax plan.

Why on Earth would we do this to middle class families? Why would we cap the mortgage deductions middle class home buyers depend on to lower taxes for huge corporations?

This plan is simply reckless and hurtful to the American people and our economic growth.

Let's take a look at real tax reform for real people, not a plan that helps those who need it the least.

25TH CONGRESSIONAL DISTRICT OF TEXAS FIRE DEPARTMENTS

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

Mr. WILLIAMS. Mr. Speaker, today, I would like to recognize the local fire departments from the 25th Congressional District—specifically, the ones located in Johnson County.

Altogether, first responders from this county were deployed for over 8 weeks to help with Hurricane Harvey relief efforts. Twenty firefighters and personnel were sent from Cleburne, Bono, Godley, Grandview, and Joshua fire departments to help out with the storm's impact.

Just 2 weeks ago, these first responders were honored during the Johnson County Emergency Services District Number 1 monthly meeting. Over the course of 2 months, they contributed a great deal to the total number of 17,000 rescue missions in Texas.

More than 33,000 individuals were displaced as a result of this tragedy, and these heroes put their own lives on hold to help out their fellow Texans.

Mr. Speaker, these crews, who serve their local community, are a rare find—they are heroes—and I am honored to represent them in the 25th Congressional District of Texas.

They voluntarily left their families and put their lives on the line in order to save others. The folks in Houston and south Texas will be forever grateful.

Texas is still recovering and, together, we will be stronger than ever before.

God bless Texas, God bless the first responders, and God bless the United States of America.

In God we trust.

TRIBUTE TO CONGRESSMAN SAM JOHNSON

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

Mr. ARRINGTON. Mr. Speaker, today, I rise to pay tribute to a living legend: my friend and colleague, Congressman SAM JOHNSON.

Recently, we had the opportunity to honor him by renaming the Texas Tech University Vietnam Archive as the SAM JOHNSON Vietnam Archive.

Nobody in the United States Congress enjoys more esteem from his colleagues, on both sides of the aisle, than SAM JOHNSON.

His legacy of service is awe-inspiring. Twenty-nine years in the United States Air Force, combat missions in Korea and Vietnam. Nearly 7 years as a POW, roughly 3 of those years in solitary confinement.

There are many forces in politics that pull us from pillar to post, and many interests that compete for our time and attention. There is one force that drives this man—it is his desire to fight for the future of this country. And there is only one interest, and that is only what is in the best interest of all Americans.

I am grateful to Texas Tech for honoring Congressman JOHNSON's service and sacrifice, and I am proud of the example Sam has set for all of us who serve in the people's House.

□ 1215

CONGRATULATING THE HOUSTON ASTROS WINNING THE WORLD SERIES

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

Ms. JACKSON LEE. Mr. Speaker, good morning, America. What about those Houston Astros?

As Representative of the 18th Congressional District in the great city of Houston, let me thank the Houston Astros for taking a Harvey-worn community to the highest lengths. We had never won the World Series.

Minute Maid is a fine stadium and the L.A. Dodgers were a very fine competitor. Let me thank all of them for the great sportsmanship, the character that was shown.

It shows what America is about. You can be two great adversaries on the battlefield of baseball, but you can still be great friends and colleagues and part of the great American pastime.

Thank you to the mayor, the county government, the State government, all of those fans out there. Thank you to George Springer and Altuve, who caught the final out. Oh, I was so excited.

Congratulations to those southern boys, the boys of the south, the boys of the southwest. They did a great job. Yes, we are the World Series champion, the American League champion. Go, Houston Astros.

Mr. Speaker, I thank you for your kindness. I am so excited. They are great young men.

CONGRATULATIONS TO DAN GLOTZ ON WARREN COUNTY COMMUNITY SERVICE

(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, I rise today to congratulate Dan Glotz on receiving the 2017 Warren County Chamber of Business and Industry's Community Service Award.

The chamber presents the award annually to an individual who has made significant contributions to the community.

Dan was raised in Warren County and graduated from Warren Area High School, and he currently serves as the Warren County planning director.

He has given his time to numerous community organizations, including the Boy Scouts of America, where he has served in many roles over the years, including Scoutmaster and council commissioner.

Dan is an excellent role model and mentor for scores of young Scouts, and he is involved in many more organizations.

He is a founding partner of Walkable Warren, which is a local initiative to promote healthy lifestyles for people of all ages through established walking and bicycling trails.

Dan is also the games competition coordinator for the Warren County Special Olympics, as well as a cantor at St. Joseph Catholic Church.

These are just some of Dan's community activities.

Mr. Speaker, I congratulate Dan and I thank him for his outstanding service to Warren County.

SUPPORT FOR THE NEW TAX REFORM BILL

(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, first, a hearty congratulations to my Texas colleagues from northern California, Giants country. Orange October feels good, doesn't it, especially when you defeat the hated southern California franchise?

Mr. Speaker, I rise today to join my colleagues in support of the new tax reform bill that was released just today by the Ways and Means Committee. This legislation contains many provisions that Congress has been promising the American people a long time: doubling the standard deduction, lowering the corporate tax rate, cutting taxes for small businesses.

That is what these reform measures are about: saving money for millions of Americans and simplifying the act of doing your taxes, as well as creating an environment for American business to thrive and come home and bring the jobs with them here in America and invest in the American economy.

The American people want tax reform, they need tax reform, and they have waited a long time, indeed since 1986. They shouldn't have to wait more years than actually the last time the Dodgers won the World Series to kick start their economy and help American jobs.

Mr. Speaker, we need to make this happen now.

INDIANA DUNES

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

Mrs. WALORSKI. Mr. Speaker, I rise today to highlight the recent passage of H.R. 1488, the Indiana Dunes National Park Act, which passed the House unanimously yesterday.

This bill renames the Indiana Dunes National Lakeshore as the Indiana Dunes National Park, creating the first national park in Indiana and the 60th in the country.

The Indiana Dunes are a treasured source of natural beauty where Hoosiers and their families can enjoy countless recreational activities. It is a diverse landscape consisting of dunes, oak savannas, swamps, bogs, marshes, prairies, rivers, and forests, creating one of the most biologically diverse areas in the country. The park contains over 2,000 unique animal and plant species.

Making the Dunes National Lakeshore Indiana's first national park will draw the attention of more Americans from around the country and give them an opportunity to enjoy one of the most beautiful places in our land.

Mr. Speaker, I look forward to this bipartisan bill being quickly passed by the Senate and signed into law by the President.

THE ROLLOUT OF THE TAX REFORM PROPOSAL

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

Mr. SHIMKUS. Mr. Speaker, today is a big day. I want to congratulate my colleague and friend, Mr. BRADY, the chairman of the Ways and Means Committee, and the committee for the rollout of our tax reform proposal, the first time in over 30 years.

For the individual, what do we get?

We get a fairer, flatter, simpler Tax Code. We are lowering the rates. We are doubling personal exemptions. And guess what. Most Americans will be able to file their tax returns on a postcard.

For corporate America, we get a reduction from 35 percent to 20 percent, which will make us competitive across the world. Most countries in the major industrialized nations tax their corporations at a 20 percent rate.

We will eliminate most every loophole that will deprive special interests of being able to interrupt and intercede in that Tax Code.

For what purpose?

A simple purpose: more money in individuals' pockets, and a growing, thriving economy for all Americans.

Again, I congratulate Chairman BRADY and the Ways and Means Committee. I look forward to seeing quick passage on the floor.

PROVIDING FOR CONSIDERATION OF H.R. 849, PROTECTING SENIORS' ACCESS TO MEDICARE ACT OF 2017

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 600 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 600

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 849) to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

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), 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 600 provides for the consideration of a bipartisan bill reported by the House Ways and Means Committee and the Energy and Commerce Committee.

The rule provides for 1 hour of debate equally divided and controlled by the chairs and ranking members of the Committee on Energy and Commerce and the Committee on Ways and Means.

The rule adopts the amendment in the nature of a substitute recommended by the Committee on Ways and Means.

Further, the rule waives all points of order and makes in order no further amendments to the legislation. However, the minority is afforded the customary motion to recommit.

Mr. Speaker, on behalf of millions of seniors in my home State of Texas and all across the United States, I am grateful that the House is considering H.R. 849, the Protecting Seniors' Access to Medicare Act of 2017.

This bill has been championed by my good friend from Tennessee, Dr. PHIL ROE, in this Congress and in previous

Congresses. It accomplishes a very simple task: To repeal the unpopular Independent Payment Advisory Board created under the Affordable Care Act.

This repeal has strong bipartisan support in both the Energy and Commerce Committee, on which I serve, and in this entire body.

As of today, there are 270 Republican and Democratic cosponsors to the bill who all agree that the creation of this board was a very bad idea.

More than 800 organizations representing every State support this bill. If I may add, this includes seniors, patient advocacy groups, physician groups, and other healthcare provider organizations.

This board is charged with broad, sweeping powers to reduce Medicare spending when Medicare spending exceeds an arbitrary target.

The board is a panel composed of 15 members appointed by the President, confirmed by the Senate for up to two consecutive 6-year terms. Fewer than half of the Independent Payment Advisory Board members can be healthcare providers, and no one—and this is an important point—on the board may receive outside income. So that means by its very definition that this board is comprised of people who cannot be practicing physicians.

The other members will come from the ranks of think tanks, unions, and academia.

For a panel with so much authority over Medicare spending, there could be little to no clinical expertise amongst the board members.

Is this what Americans really want?

Now, here is some good news. The board has yet to be formed. Hooray for that. According to the 2017 Annual Report on the Boards of Medicare Trustees from the Centers for Medicare and Medicaid Services' Office of the Actuary, the Independent Payment Advisory Board may not be formed until at least 2021, based on the current Medicare spending rate projections.

Well, that is good news to seniors and their doctors and their families, but these projections are just numbers and they can change. In fact, last year the projection was very different, that the Independent Payment Advisory Board would be triggered this year rather than the delay.

The concern of many of us here in the House and hundreds of stakeholders I have heard from is that under the law, the Independent Payment Advisory Board's proposals are required to be implemented by the Secretary of Health and Human Services unless Congress acts by creating its own proposal to achieve the exact same savings or by preventing the automatic implementation process as defined by law.

So what is that process?

The law mandates immediate introduction of legislation encompassing the Independent Payment Advisory Board proposed bills in Congress—

Stop and think about that for a minute. That is not a bill introduced by a Member of Congress. That is a bill introduced by an outside board. That is a bill introduced by the administration. Let me recapitulate.

The law mandates immediate introduction of legislation encompassing the Independent Payment Advisory Board proposed bills in Congress and establishes strict deadlines for committee and Senate floor consideration, and places limits on the appropriations process.

While Congress is permitted to modify the type of cuts to Medicare, it must achieve identical savings amounts to Medicare spending as contained in the board's plan. The law bars Congress from changing the Independent Payment Advisory Board fiscal targets in any other legislation it considers, and it creates procedures whereby a super majority vote is required in the Senate to waive this requirement.

If the Independent Payment Advisory Board fails to report recommendations or never becomes operational, the Secretary of the Department of Health and Human Services is given the power to implement the cuts unilaterally.

Well, you might think that, then, of course this would be under judicial or administrative review, but the Independent Payment Advisory Board is exempt from administrative or judicial review.

No matter what your views are on the Affordable Care Act, we should all agree that giving this much power to a panel of unelected and unaccountable officials or a Cabinet Secretary, whoever he or she may be in any administration, giving away this much power is simply bad policy. The House shouldn't be for that.

□ 1230

This process is extremely complicated, and maybe that was the intent of the people who wrote the provision creating this board under the Affordable Care Act.

I also fundamentally believe that the Independent Payment Advisory Board infringes on the separation of powers by shifting authority from the legislative to the executive branch. Not only does the creation of this board significantly limit Congress' authority, it eliminates needed transparency from hearings and debate. It eliminates any meaningful opportunity for stakeholder input.

I believe leaving Medicare payment decisions in the hands of those who are unelected and unaccountable, with little congressional oversight, will actually harm seniors' access to quality healthcare.

Congress has played an integral role in shaping policies that best reflect the needs of our districts and our States, and our constituents demand that. That is the reason they sent us here.

Lastly, as a physician, I treasure the doctor-patient relationship. I believe we must do more to honor this relationship and prevent the Federal Government from further eroding this precious commodity.

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 the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, the Independent Payment Advisory Board was created, in fact, by the Affordable Care Act, as we have heard. It will be a 15-member panel composed of Presidentially appointed and Senate-confirmed experts charged with developing proposals to prevent Medicare costs from getting too high. It is about fiscal prudence.

The majority and its allies, however, spread many mistruths about the board. It has even been called a death panel, if you remember that. In reality, nothing could be further from the truth. Its recommendations may not increase cost-sharing premiums or taxes, or reduce benefits. They have no way to do that.

Not a single soul has been nominated to the board. It is not yet instituted as an entity. Today, in the absence of an appointed board, the Secretary of Health and Human Services is directed to submit recommendations to Congress if a trigger is met.

The independent Medicare actuaries predict that this board will not be triggered until at least 2021, 4 years from now.

Mr. Speaker, I think we have to ask: Why are we spending time today, with everything facing us, addressing a problem that could exist 4 years from now? Is the majority so desperate to undermine the Affordable Care Act that they are repealing a panel whose sole purpose is keeping Medicare costs in line?

According to Gallup, 55 percent of the public approves of the healthcare law. They want to see it strengthened, not eviscerated.

In contrast, under the majority's leadership, Congress has an approval rating of just 13 percent.

Should 13 percent be telling 55 percent what they need to do?

Instead, since the majority has so far been unable to repeal it, they are going to undermine it brick by brick. The President is even sabotaging the Affordable Care Act administratively, slashing the budget to publicize the law by 90 percent, and cutting the open enrollment period in half.

In the interest of public service, let me say that the enrollment period started yesterday and continues to December 15. Please go and take care of your health insurance.

What the White House has done is make a direct attempt to cause chaos to weaken signups under the open enrollment period that began this week.

The Kaiser Family Foundation estimated that, as a result of the Affordable Care Act, Medicare growth has been historically low. The growth in healthcare prices is at its lowest level in 50 years. The nonpartisan Congressional Budget Office projected that Medicare growth rates will remain beneath this panel's targets until 2021, hence the reason for not doing a panel for 4 more years.

It is really too bad that this Congress and the majority insist on sabotaging

the Affordable Care Act, chipping away at its benefits. We should be strengthening it. Remember that every President since Theodore Roosevelt just about has tried to do a healthcare bill like the one that we have today. Perhaps just because Barack Obama did it that there is so much problem with it in the majority.

There is a bipartisan Senate bill crafted by Senator ALEXANDER and Senator PATTY MURRAY that the nonpartisan Congressional Budget Office found last week would save money, stabilize the insurance marketplace, and reduce the debt by $3.8 billion. That is all without anyone losing their insurance.

Why won't we take up that bill?

We never get an answer for that question.

What is it about trying to take healthcare away from poor people or that we won't put a bill on the floor that has all the advantages and savings that we know and that is totally bipartisan? Is it because the majority knows it will pass?

Our Nation has urgent problems. Our infrastructure is crumbling, education costs skyrocket so high so fast that it is unattainable to many students. We desperately need to stabilize our health insurance markets by passing the compromise by Senators ALEXANDER and MURRAY. That is what we should be doing here today.

There are Members on both sides of the aisle who want to see improvements to the board, but that is not what the bill does. It terminates it altogether. It is the wrong approach at definitely the wrong time.

Regardless of what you think about this board, we should be able to agree that this Congress has more important things to do than address a problem that might not exist for 4 years, if at all.

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

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. ROE), the chief sponsor of the bill.

Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of the rule for my bill, H.R. 849, the Protecting Seniors' Access to Medicare Act of 2017.

Mr. Speaker, this bill would repeal the Independent Payment Advisory Board, or IPAB, which was created solely as a cost containment mechanism as part of the Affordable Care Act. It has nothing to do about quality of care or access to care. I can't think of anything more important, Mr. Speaker, that this Congress should be doing than providing quality care and access to care for our senior citizens of this country, some 58 million of them.

Whatever your feelings may be about the ACA, this provision has had strong bipartisan opposition from its beginning, and it was not contained in the House Democrat's version of the bill, but was jammed in by the Senate at the end.

If you still need convincing on just how unpopular this provision of the law is, ask yourself: How often do we see a bill come to the floor under a rule that has 270 bipartisan cosponsors?

Passing this bill will send a strong message to our Senate colleagues that the time to act is now.

Mr. Speaker, the overwhelming bipartisan support for Members is only outdone by the overwhelming nationwide coalition of support.

Mr. Speaker, I include in the RECORD a letter from the Protect My Doctor and Me coalition, a letter that has been signed by nearly 800 groups representing patients, providers, and all sectors of the healthcare industry with support in all 50 States.

SEPTEMBER 6, 2017.

DEAR MEMBER OF CONGRESS: The undersigned organizations—representing Medicare beneficiaries and patients, all sectors of the healthcare industry as well as employers and other purchasers of health care—believe strongly that the Medicare program must protect patient access to quality healthcare. The Independent Payment Advisory Board (IPAB), a provision of the Patient Protection and Affordable Care Act (PPACA), not only poses a threat to that access but also, once activated, will shift healthcare costs to consumers in the private sector and infringe upon the decisionmaking responsibilities and prerogatives of the Congress. We request your support to repeal IPAB.

IPAB, as constructed under PPACA, is a board comprised of Presidential appointees who will be charged with making recommendations to cut Medicare expenditures if spending growth reaches an arbitrary level. Once the Secretary of Health and Human Services (HHS) implements an IPAB recommendation, that action is not subject to administrative or judicial review. As constructed, IPAB is granted unprecedented powers—even the ability to change laws previously enacted by Congress—with virtually no oversight.

The potential impact of this board causes deep concern among our organizations and the millions of Americans we represent. IPAB proponents suggest that the board will be an asset in developing needed healthcare delivery reforms. That goal, however, is not realistically achievable. The law requires IPAB to achieve scoreable savings within a one-year time period. Thus, instead of pursuing long-term reforms that may not achieve immediate savings, IPAB is more likely to consider short-term savings in the form of payment cuts for healthcare providers. This was, in fact, the conclusion of the Congressional Budget Office, which stated that IPAB is most likely to focus on payment rates or methodologies for services provided by non-exempt providers.

This would be devastating for patients, affecting access to care and innovative therapies. Already, the number of physicians unable to accept new Medicare patients due to low reimbursement rates has been increasing over the past several years. IPAB-generated payment reductions would only increase the access difficulties faced by too many Medicare beneficiaries. Furthermore, payment reductions to Medicare providers will almost certainly result in a shifting of health costs to employers and consumers in the private sector.

Under IPAB's provisions, the responsibility for enacting healthcare system changes of this magnitude would be transferred from the legislative branch to the executive. More specifically, an unelected board without adequate oversight or accountability would be taking actions historically reserved for the public's elected representatives in the U.S. House and Senate. This is an unacceptable decisionmaking process for a program that millions of our nation's seniors and individuals with disabilities rely upon.

Moreover, if IPAB does not act within the law's required timeframe or if IPAB members are not appointed by the President or confirmed by the Senate, the law transfers IPAB's responsibilities solely to the HHS Secretary. This places an enormous degree of power in the hands of one unelected individual.

We strongly support bringing greater cost-efficiency to the Medicare program. We also advocate continuing efforts to improve the quality of care delivered to Medicare beneficiaries.

The Independent Payment Advisory Board will achieve neither of these objectives and will only weaken, not strengthen, a program critical to the health and well-being of current and future beneficiaries. We urge Congress to eliminate the IPAB provision.

Sincerely,

1 in 9: The Long Island Breast Cancer Action Coalition; 60 Plus Alabama; 60 Plus Association; A Partnership of Diabetics; Abbott; Actelion Pharmaceuticals; Action CF; ADAP Advocacy Association (aaa+); AdvaMed—the Advanced Medical Technology Association; Advocacy Council of ACAAI; Advocates for Responsible Care (ARxC); AIDS Alliance for Women, Infants, Children, Youth & Families; AIDS Community Research Initiative of America; AIDS CT; AIDS Foundation of Chicago; AIDS Outreach Montana; AIDS Resource Center Ohio; AIDS Response Seacoast; AIDS Services for the Monadnock Region; Alabama ACEP.

Alabama Association of Ambulatory Surgery Centers; Alabama Council of Community Mental Health Boards; Alabama Hospital Association; Alabama Lifespan Respite Resource Network; Alabama Podiatric Medical Association; Alabama Society for Clinical Social Work; Alabama Society for the Rheumatic Diseases; Alaska Behavioral Health Association; Alaska ACEP; Alaska Rheumatology Alliance; Alaska State Medical Association; Alliance for Patient Access; Alliance of Specialty Medicine; Alzheimer's & Dementia Alliance of Wisconsin; Alzheimer's Arkansas; Alzheimer's Association—Capital of Texas Chapter; Alzheimer's Texas; American Academy of Allergy, Asthma & Immunology; American Academy of Dermatology Association; American Academy of Facial Plastic and Reconstructive Surgery.

American Academy of Neurology; American Academy of Ophthalmology; American Academy of Otolaryngology-Head and Neck Surgery; American Academy of Physical Medicine & Rehabilitation; American Association for Hand Surgery; American Association for Pediatric Ophthalmology and Strabismus; American Association of Clinical Endocrinologists; American Association of Clinical Urologists; American Association of Hip and Knee Surgeons; American Association of Neurological Surgeons; American Association of Oral and Maxillofacial Surgeons; American Association of Orthopaedic Surgeons; American Autoimmune Related Diseases Association; American Behcet's Disease Association; American College of Allergy, Asthma & Immunology; American College of Cardiology; American College of Emergency Physicians (ACEP); American College of Mohs Surgery; American College of Osteopathic Family Physicians; American College of Osteopathic Surgeons.

American College of Radiology; American College of Rheumatology; American College of Surgeons; American Congress of Obstetricians & Gynecologists; American Congress of

Obstetricians & Gynecologists, Oklahoma Chapter; American Gastroenterological Association; American Glaucoma Society; American Kidney Fund; American Liver Foundation; American Liver Foundation Pacific Coast Division; American Medical Association; American Military Society; American Nurses Association; American Orthopaedic Foot and Ankle Society; American Orthopaedic Society for Sports Medicine; American Osteopathic Academy of Orthopedics; American Osteopathic Association; American Osteopathic College of Rheumatology; American Physical Therapy Association; American Podiatric Medical Association.

American Shoulder and Elbow Surgeons; American Society for Dermatologic Surgery Association; American Society for Mohs Surgery; American Society for Surgery of the Hand; American Society of Anesthesiologists; American Society of Cataract and Refractive Surgery; American Society of Echocardiography; American Society of Nuclear Cardiology; American Society of Ophthalmic Administrators; American Society of Ophthalmic Plastic and Reconstructive Surgery; American Society of Plastic Surgeons; American Spinal Injury Association; American Urological Association; American Uveitis Society; AmerisourceBergen; Amgen; AMN Healthcare; Arizona Bioindustry Association (AZBio); Arizona College of Emergency Physicians; Arizona Radiological Society.

Arizona United Rheumatology Alliance; Arizona Urological Society; Arkansas Chapter ACEP; Arkansas Medical Society; Arkansas Ophthalmological Society; Arkansas Orthopaedic Society; Arkansas Podiatric Medical Association; Arkansas Rheumatology Association; Arthritis Foundation; Arthritis Foundation South Central Region; Arthroscopy Association of North America; Ascension; Association of Black Cardiologists; Association of University Professors in Ophthalmology; Asthma and Allergy Foundation of America; Asthma and Allergy Foundation of America, New England Chapter; Atrius Health; Austin Radiological Association; BEACON—Biomedical Engineering Alliance & Consortium; Better Medicare Alliance.

Bingham County Senior Center; Bio Nebraska Life Sciences Association; BioBuzz Workforce Foundation; Biocom; BioFlorida; BIOForward; BioHouston; BioKansas; BioNJ; BioNorthTX; BioOhio; Bioscience Association of West Virginia; Biotechnology Industry Organization (BIO); BioUtah; Birmingham Neurosurgery and Spine Group, PC; Brain Injury Alliance of Oregon; Brain Injury Association of Nebraska; California Academy of Eye Physicians and Surgeons; California ACEP; California Asian Pacific Chamber of Commerce; California Association of Health Facilities; California Association of Neurological Surgeons, Inc; California Chronic Care Coalition.

California Health Collaborative, California Hepatitis C Task Force; California Life Sciences Association—CLSA; California Medical Association California Orthopaedic Association; California Podiatric Medical Association; California Rheumatology Alliance; California Senior Advocates League; California Society for Cardiac Rehabilitation; California Urological Association; Cambridge Chamber of Commerce; Campbell Clinic; Caregiver Action Network; Center for Health Care Services; Center for Healthcare Innovation; Center of Health Engagement; Central Coast Medical Society; Central Florida Behavioral Health Network; Centro de mi Salud; Cervical Spine Research Society.

Charleston Parkinson's Support Group; Chattanooga-Hamilton County Medical Society; Chemed Corporation; Citrus Council NKFF; City of New Orleans; Cleveland Clinic; CNY HIV Care Network; COAAA; Coalition of Asian-American IPA; Coalition of State Rheumatology Organizations (CSRO); Colon Cancer Alliance; Colorado BioScience Association; Colorado Cross-Disability Coalition; Colorado Gerontological Society; Colorado Medical Society; Colorado Podiatric Medical Association; Colorado Radiological Society; Colorado Rheumatology Association; Colorado Society of Eye Physicans & Surgeons; Colorado's Insurance Consultant, LLC.

Communicating for America, Inc.; Community Access National Network (CANN); Community Health Action Network; Community Health Charities of Nebraska; Community Liver Alliance; Community Oncology Alliance; Congress of Neurological Surgeons; Connecticut Orthopaedic Society; Connecticut Podiatric Medical Association; Council for Affordable Health Coverage; Council of State Neurosurgical Societies; CPEM, Inc; Crohn's & Colitis Foundation of America, Georgia Chapter; CSRA Area Agency on Aging; Delaware Academy of Ophthalmology; Delaware Ecumenical Council on Children and Families; Delaware HIV Consortium; Dia de la Mujer Latina; Easter Seals; Easter Seals Central and Southeast Ohio Inc.

Easter Seals Central Texas; Easter Seals Iowa; Easter Seals Massachusetts; Easter Seals Nebraska; Easter Seals North Georgia; Easter Seals of Southeastern PA; Eastern Orthopaedic Association; EDSers United Foundation; Eisai Inc.; Eli Lilly and Company; ELLAS; Emergency Department Practice Management Association; Enchantment Healthcare; Endometriosis Association; Enterprise Family Healthcare; Epilepsy Association of the Big Bend; Epilepsy Foundation of Greater Chicago; Epilepsy Foundation of Greater Southern Illinois; Epilepsy Foundation of Hawaii; Epilepsy Foundation of San Diego County.

Epilepsy Foundation of Western Wisconsin; Familia Unida Living with MS; FCEP Florida College of Emergency Physicians; Federation of American Hospitals; Federation of Families for Children's Mental Health—CO Chapter; First Step House; Fleet Reserve Association; Florida Allergy, Asthma & Immunology Society; Florida Neurosurgical Society; Florida Orthopaedic Society; Florida Osteopathic Medical Association; Florida Partners in Crisis; Florida Podiatric Medical Association; Florida Society of Dermatology and Dermatologic Surgery; Florida Society of Rheumatology; Florida State Hispanic Chamber of Commerce; Friends of Our Lady of Good Counsel; Geaux Group; Georgia Bio; Georgia College of Emergency Physicians.

Georgia Commission on Women; Georgia Neurosurgical Society; Georgia Orthopaedic Society; Georgia Osteoporosis Initiative; Georgia Podiatric Medical Association; Georgia Society of Clinical Oncology;

Georgia Society of Dermatology and Dermatological Surgery; Georgia Society of Ophthalmology; Georgia Society of Rheumatology; Georgia Women's Institute; Global Genes; Global Healthy Living Foundation; Global Liver Institute; Granite State Taxpayers; Greater North Dakota Chamber; Greater Providence Chamber of Commerce; H.E.A.L.S of the South (Hepatitis Education, Awareness and Liver Support); Hawaii ACEP; Hawaii Independent Physicians Association; Hawaii Medical Association.

Hawaii Podiatric Medical Association; Health Agents for America, Inc. (HAFA); Healthcare Innovation Exchange; HealthCare Institute of New Jersey (HINJ); Healthcare Leadership Council; HealthHIV; Healthy African American Families; Hispanic CREO; Home Care Association of Washington; Hopkins County Memorial Hospital; ICAN, International Cancer Advocacy Network; Idaho Association of Nurse Anesthetists; Idaho Medical Association; Idaho Orthopaedic Association; Idaho Orthopaedic Society; Idaho Osteopathic Physicians Association; Idaho Podiatric Medical Association; Idaho State Dental Association; Illinois Biotechnology Innovation Organization; Illinois College of Emergency Physicians.

Illinois Manufacturers' Association; Illinois Neurological Institute; Illinois Podiatric Medical Association; Illinois Society of Eye Physicians & Surgeons; Illinois State Ambulance Association; Illinois State Medical Society; INACEP; Independent Medical Providers Action Council; Indiana Academy of Ophthalmology; Indiana Health Industry Forum; Indiana Medical Device Manufacturers Council; Indiana Neurosurgical State Society; Indiana Podiatric Medical Association; Indiana State Medical Association; Indiana University Health, Inc.; Infectious Diseases Society of America; Insight Human Services; Integral Rheumatology and Immunology Specialists (IRIS); International Foundation for Autoimmune Arthritis; International Institute of Human Empowerment.

International Society for the Advancement of Spine Surgery; ION Solutions; Iowa Academy of Ophthalmology; Iowa ACEP; Iowa Biotechnology Association; Iowa Orthopaedic Society; Iowa Osteopathic Medical Association; Iowa Podiatric Medical Society; Iowa State Grange; J. Robert Gladden Orthopaedic Society; JobKeeper Alliance; Johnson & Johnson; Julian CNA Training School; Kansas Association of Osteopathic Medicine; Kansas Orthopaedic Society; Kansas Podiatric Medical Association; Kansas Rheumatology Alliance; Kansas Society of Eye Physicians & Surgeons; Kansas Urological Association; Kendall Square Association.

Kentuckiana Rheumatology Alliance; Kentucky Academy of Eye Physicians and Surgeons; Kentucky ACEP; Kentucky Chamber of Commerce; Kentucky Life Sciences Council; Kentucky Medical Association; Kentucky Psychiatric Medical Association; Kidney Cancer Association; Kidney Care Partners; Latin American Chamber of Commerce; Latino Commission on AIDS; Latino Diabetes Association; Licensed Professional Counselors Association; Life Science Tennessee; Life Sciences Greenhouse of Central PA; Life Sciences Pennsylvania; Limb Lengthening and Reconstruction Society; Louisiana Alumni, Sigma Kappa GNO; Louisiana Association of Neurological Surgeons; Louisiana Liberty 64.

Louisiana Lifespan Respite Coalition; Louisiana Orthopaedic Association; Louisiana Podiatric Medical Association; Louisiana Womens' Network; Lower New York Chapter, The American Association of Clinical Endocrinologists; Lupus Alliance of Long Island/Queens; Lupus Alliance of Upstate New York; Lupus and Allied Diseases Association;

Lupus Foundation New England; Lupus Foundation of America; Lupus Foundation of America, DC/MD/VA Chapter; Lupus Foundation of Arkansas, Inc.; Lupus Foundation of Colorado; Lupus Foundation of Florida, Inc.; Lupus Foundation of Northern California; Lupus Foundation of PA; Lupus Foundation of Southern California; Lupus LA; Lupus Society of Illinois; MA Health Council.

MACEP—Massachusetts College of Emergency Physicians; Maine ACEP; Malecare Cancer Support; Mallinckrodt Pharmaceuticals; Manufacture Alabama; Maryland Chapter American College of Emergency Physicians; Maryland Orthopaedic Association; Maryland Society of Eye Physicians and Surgeons; Massachusetts Association for Mental Health, Inc; Massachusetts, Maine, and New Hampshire Rheumatology Association; Massachusetts Medical Device Industry

Council (MassMEDIC); Massachusetts Medical Society; Massachusetts Orthopaedic Association; Massachusetts Society of Eye Physicians and Surgeons; MassBio; Maxim Healthcare Services; Maxima Home Health LLC; Meals on Wheels North Carolina; MedChi, The Maryland State Medical Society; Medical Alley.

Medical Association of Georgia; Medical Association of the State of Alabama; Medical Device Manufacturers Association (MDMA); Medical News; Medical Oncology Association of Southern California; Medical Society of New Jersey; Medical Society of the State of New York; Medical University of South Carolina (MUSC); MedTech Association; MemorialCare Health System; Mended Hearts; Men's Health Network; Mental Health America of Montana; Mental Health Systems; Merck; Metropolitan Milwaukee Association of Commerce; Michigan Association of Neurological Surgeons; Michigan Association of Osteopathic Family Physicians; Michigan Biosciences Industry Association—MichBio; Michigan Chamber of Commerce.

Michigan College of Emergency Physicians; Michigan Lupus Foundation; Michigan Orthopaedic Society; Michigan Osteopathic Association; Michigan Rheumatism Society; Michigan Society of Eye Physicians and Surgeons; Minnesota Academy of Ophthalmology; Minnesota Chapter ACEP; Minnesota Medical Association; Minnesota Neurosurgical Society; Minnesota Organization of Registered Nurses; Minnesota Orthopaedic Society; Minnesota State Grange; Mississippi Academy of Eye Physicians and Surgeons; Mississippi Osteopathic Medical Association; Mississippi Society of Eye Physicians and Surgeons; Mississippi State Medical Association; Missouri Ambulance Association; Missouri Association of Rural Health Clinics; Missouri Biotechnology Association.

Missouri Chamber of Commerce and Industry; Missouri Hospital Association; Missouri State Medical Association; Missouri Urological Society; MoCEP—Missouri College of Emergency Physicians; Montana ACEP; Montana BioScience Alliance; Montana Chamber of Commerce; Montana Medical Association; Montana Orthopedic Society; Multiple Sclerosis Resources of Central New York, Inc; Musculoskeletal Tumor Society; NAMI—Sheridan; NAMI Alabama; NAMI Anchorage; NAMI Buffalo & Erie County; NAMI Clackamas; NAMI Florida; NAMI Greater Des Moines; NAMI Hernando.

NAMI Illinois; NAMI Indiana; NAMI Iowa; NAMI Kansas; NAMI Knox Licking County Ohio; NAMI Lewis County; NAMI Maine; NAMI Maryland; NAMI Mass; NAMI Minnesota; NAMI Montana; NAMI Nebraska; NAMI Nevada; NAMI New Mexico; NAMI North Carolina; NAMI North Dakota; NAMI Northern Nevada; NAMI Ohio; NAMI Rochester; NAMI Sioux Falls.

NAMI Skagit; NAMI Stark County; NAMI Upper Valley Idaho; NAMI Virginia; NAMI Washington; NAMI York County; NASW Texas Chapter; National Alliance on Mental Illness; National Alliance on Mental Illness of Central Suffolk; National Alliance on Mental Illness of Park County, WY; National Association for Home Care & Hospice; National Association for Uniformed Services; National Association of Hepatitis Task Forces; National Association of Manufacturers; National Association of Nutrition and Aging Services Programs (NANASP); National Association of Social Workers—NC Chapter; National Association of Social Workers—Virginia Chapter; National Association of Spine Specialists; National Center for Policy Analysis; National Coalition for LGBT Health.

National Council for Behavioral Health; National Council of Asian Pacific Islander Physicians; National Fibromyalgia & Chronic Pain Association; National Grange; National Hispanic Medical Association; National Minority Quality Forum; National Psoriasis Foundation; National Retail Federation; National Rural Health Association; National Spasmodic Torticollis Association; NCCEP North Carolina College of Emergency Physicians; NC State Grange; Nebraska Medical Association; Nebraska Rural Health Association; Nebraska State Grange; Nebraska Taxpayers for Freedom; Neuro Network Partners; Neurofibromatosis, Inc. Mid-Atlantic; Neurosurgical Society of Kentucky; Nevada Academy of Ophthalmology.

Nevada Chapter ACEP; Nevada Health Care Association; Nevada Orthopaedic Society; New England Biotech Association; New Jersey Academy of Ophthalmology; New Jersey Association of Mental Health and Addiction Agencies, Inc.; New Jersey Chapter ACEP; New Jersey Mayors Committee on Life Science; New Jersey Orthopaedic Society; New Jersey Rheumatology Association; New Jersey State Nurses Association; New Mexico Biotechnology & Biomedical Association (NMBio); New Mexico Association of Nurse Anesthetists; New Mexico Chapter ACEP; New Mexico Health Care Association; New Mexico Podiatric Medical Association; New York ACEP; New York Regional Society of Plastic Surgeons; New York State Neurological Society; New York State Ophthalmological Society.

New York State Rheumatology Society; New York State Society of Orthopaedic Surgeons, Inc.; New York State Society of Plastic Surgeons, Inc; New York State Urological Society; NHACEP; North American Neuro-Ophthalmology Society; North Carolina Alliance for Retired Americans; North Carolina Biosciences Organization; North Carolina Chamber; North Carolina Foot & Ankle Society; North Carolina Psychological Association; North Carolina Rheumatology Association; North Carolina Society of Eye Physicians and Surgeons; North Dakota Chapter ACEP; North Dakota Medical Association; North Dakota Podiatric Medical Association; North Dakota Society of Eye Physicians and Surgeons; North Macon Family Healthcare Associates; Northeast Kidney Foundation; Northern Utah Coalition, Inc.

Northwest Urological Society; Novartis Pharmaceuticals Corporation; Occasional Riot; Ogden Branch of the NAACP; Ohio ACEP; Ohio Association of County Behavioral Health Authorities; Ohio Association of Medical Equipment Services; Ohio Association of Rheumatology; Ohio Chamber of Commerce; Ohio Council for Home Care and Hospice; Ohio Foot and Ankle Medical Association; Ohio Jewish Communities;

Ohio Orthopaedic Society; Ohio Osteopathic Association; Ohio State Grange; Ohio Veterans United; OKBio; Oklahoma Academy of Ophthalmology; Oklahoma ACEP; Oklahoma Association of Nurse Anesthetists.

Oklahoma Osteopathic Association; Oklahoma Podiatric Medical Association, Inc.; Oklahoma Society of Anesthesiologists; Oklahoma Society of Oral and Maxillofacial Surgeons; Oklahoma State Medical Association; ONEgeneration; Oregon Academy of Opthalmology; Oregon Chapter of American College of Emergency Physicians; Oregon Medical Association; Oregon Neurosurgical Society; Oregon Podiatric Medical Association; Oregon Rheumatology Alliance; Oregon Society of Anesthesiologists; Oregon Urological Society; Orthopaedic Research Society; Orthopaedic Society of Oklahoma; Orthopaedic Trauma Association; Osteopathic Physicians & Surgeons of California; Pacific Northwest Chapter of TRIO; PA Prostate Cancer Coalition.

Partnership to Fight Chronic Disease; PCa Blue Inc.; Pediatric Orthopaedic Society of North America; Pennsylvania Chamber of Business and Industry; Pennsylvania College of Emergency Physicians; Pennsylvania Neurosurgical Society; Pennsylvania State Grange; Perennial Services Network; Pfizer; Pharmaceutical Care Management Association; Philadelphia Rheumatism Society; PhRMA; Plaza Community Services; Premier healthcare alliance; Prescription Assistance Network of Stark County, Inc; Prevent Blindness Iowa; Prevent Blindness, Ohio Affiliate; Progressive Democrats of Central New Mexico; Progressive Leaders of Louisiana; Prostate Health Education Network.

Radiology Associates of Macon; Rainy Day Patriots; Respiratory Health Association; RetireSafe; Rheumatism Society of the District of Columbia; Rheumatology Alliance of Louisiana; Rheumatology Association of Iowa; Rheumatology Association of Minnesota and the Dakotas; Rheumatology Association of Nevada; Rheumatology Society of North Texas; Rhode Island Chapter ACEP; Rhode Island Medical Society; Rhode Island Society of Eye Physicians and Surgeons; Rhode Island Tech Collective; Rio Grande Valley Diabetes Association; RIPMA; Rocky Mountain Stroke Center; RTI Surgical Inc.; Rush To Live; SAGE Utah.

Saint Agnes Healthcare; Salud U.S.A.; Sandhills Adult Day Health Center, Inc.; San Diego County Podiatric Medical Association; Sanofi US; SC Podiatric Medical Association (SCPMA); Scoliosis Research Society; Sea Island Pediatrics; Senior Connections, The Capital Area Agency on Aging; Seniors Golden Hammer; Seniors Hospitality Center / Bonners Ferry Senior Center; Sickle Cell Disease Association of Florida; Sjögren's and Lupus Foundation of Hawaii; Sjögren's Syndrome Foundation; Small Business & Entrepreneurship Council; Smile Community Action Partnership; Society of Academic Urologists; Society for Cardiovascular Angiography and Interventions; Society for Vascular Surgery; Society of Military Orthopaedic Surgeons.

Society of Urologic Oncology; Solidarity Project Advocacy Center; South Carolina BIO; South Carolina Hospital Association; South Carolina Medical Association; South Carolina Medical Group Management Association (SCMGMA); South Carolina Nurses Association; South Carolina Orthopaedic Association; South Carolina Rheumatism Society; South Carolina Society of Ophthalmology; South Carolina Urological Association; South Dakota Biotech; South Dakota State Medical Association; South Dakota State Orthopaedic Society; South Florida Cancer Association; Southern Orthopaedic Association; State Chamber of Oklahoma; State of Texas Association of Rheumatologists; State of Texas Kidney Foundation; Statewide Independent Living Council of Hawaii.

StopAfib.org; Suicide Awareness Voices of Education; Sunovion Pharmaceuticals Inc.; Survivors Cancer Action Network; Takeda Pharmaceuticals, USA Inc.; TCEP Texas College of Emergency Physicians; Tech Council of Maryland; Tennessee Association of Long Term Care Physicians; Tennessee Geriatrics Society; Tennessee Hemophilia and Bleeding Disorders Foundation; Tennessee Medical Association; Tennessee Orthopaedic Society; Tennessee Rheumatology Society; Texas Association for Home Care and Hospice; Texas Association of Business; Texas Association of Neurological Surgeons; Texas BioAlliance; Texas Health Resources; Texas Healthcare and Bioscience Institute; Texas Life-Sciences Collaboration Center.

Texas Medical Association; Texas Neurological Society; Texas Nurse Practitioners; Texas Orthopaedic Association; Texas Osteopathic Medical Association; Texas Pain Society; Texas Radiological Society; Texas State

Grange; The AIDS Institute; The Arc in Hawaii; The Arc of Anchorage; The Benefits Consultancy; The Jewish Federations of North America; The Macula Society; The Marilyn Fagan Ovarian Cancer Patient Advocacy Program (ICAN-Hawaii); The Meeting Group, Inc.; The Michael J. Fox Foundation for Parkinson's Research; The National Association of Catholic Nurses—U.S.A.; The National Catholic Bioethics Center; The New England Council.

The New Mexico Association for Home and Hospice Care; The Retina Society; The Surgery Center of Huntsville; The US Oncology Network; The Vision Care Center; The Wall Las Memorias Project; Twin Falls Senior Center; U.S. Chamber of Commerce; U.S. Pain Foundation; Union Pacific Railroad Employees Health Systems; Urban Pain Institute; Utah Advocates; Utah Medical Association; Utah Podiatric Medical Association; Utah Pride Center; Utah State Orthopedic Society; Utah Support Advocates for Recovery Awareness; Vermont Medical Society; Vermont State Association of Osteopathic Physicians & Surgeons, Inc.; Veterans Health Council; Vietnam Veterans of America.

Vietnamese Social Services of Minnesota; Virginia Bio; Virginia Chamber of Commerce; Virginia Hispanic Chamber of Commerce; Virginia Podiatric Medical Association; Virginia Society of Eye Physicians and Surgeons; Visiting Nurse Association; Visiting Nurse Association of Ohio; VITAS Healthcare; Vizient, Inc.; Washington ACEP; Washington Biotechnology & Biomedical Association; Washington Rheumatology Alliance; Washington Rural Health Association; Washington State Medical Association; Washington State Orthopaedic Association; Washington State Podiatric Medical Association; Washington State Prostate Cancer Coalition; Washington State Urology Society; Wellness and Education Community Action Health Network; Wellness Station.

West Virginia Academy of Eye Physicians & Surgeons; West Virginia Academy of Otolaryngology—Head and Neck Surgery, Inc.; West Virginia Orthopaedic Society; West Virginia State Rheumatology Society; Western Orthopaedic Association; Western Section of the American Urological Association; Wisconsin Academy of Nutrition and Dietetics; Wisconsin Academy of Ophthalmology; Wisconsin Association of Osteopathic Physicians & Surgeons (WAOPS); Wisconsin Hospital Association; Wisconsin Manufacturers & Commerce; Wisconsin Medical Society; Wisconsin Rheumatology Association; Wisconsin State Grange.

Wound Care Clinic—ESU; WPMA—Wisconsin Podiatric Medical Association; Wyoming Chapter American College Emergency Physicians; Wyoming Epilepsy Association; Wyoming Medical Society; Wyoming Ophthalmological Society; ZERO—The End of Prostate Cancer.

Mr. ROE of Tennessee. Mr. Speaker, let me just read one paragraph:

''IPAB, as constructed under PPACA, is a board comprised of Presidential appointees who will be charged with making recommendations to cut Medicare expenditures if spending growth reaches an arbitrary level. Once the Secretary of Health and Human Services implements an IPAB recommendation, that action is not subject to administrative or judicial review. As constructed, IPAB is granted unprecedented powers—even the ability to change laws previously enacted by Congress—with virtually no oversight.'' Peter Orszag, President Obama's Office of Management and Budget Director, said it was the largest transfer of power from the legislative branch to a bureaucratic branch since the Federal Reserve, and that is a mouthful.

Democrats and Republicans may not always agree on how to get things done around here, but when you can bring 270 House Members together on one bill, it is pretty clear that something needs to be done immediately.

We were lucky this summer that the Medicare trustees report indicated that IPAB would not trigger until 2021 or 2022, but our back is against the wall and we must act. We cannot afford to let 15 unelected, unaccountable bureaucrats make decisions for our Nation's 58 million Medicare enrollees with no checks from Congress.

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

I refer also to a bipartisan letter I signed on December 17, 2009, that was written to the Speaker of the House at that time, NANCY PELOSI, which said the following:

''Finally, as the people's elected representatives, we must oppose any proposal to create a board that would surrender our legislative authority and responsibility for a Medicare program to unelected, unaccountable officials within the very same branch of government that is charged with implementing the Medicare policies that affect so many Americans.''

Mr. Speaker, I urge my colleagues to support this rule and support the final passage because that will show the American people you stand with America's seniors.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DUNN), who is also a physician.

Mr. DUNN. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I rise in support of Protecting Seniors' Access to Medicare Act, sponsored by my colleague and fellow physician, Representative ROE.

ObamaCare's establishment of the Independent Payment Advisory Board, or IPAB, is perhaps the most insidious part of the Affordable Care Act.

With IPAB, 15 unelected bureaucrats would be in power to make health coverage decisions for 55 million Americans who are Medicare beneficiaries. Care would be rationed, physicians like myself would be unable to pursue the course of treatment we think is appropriate for our patients, seniors would lose access to the best care, all without any input from Congress or any accountability to voters.

With all of the divisiveness that we see in Washington, the IPAB repeal bill we consider today is genuinely bipartisan. Mr. Speaker, I urge my colleagues to give an overwhelming bipartisan vote and show the country we are serious about keeping our promises to our seniors.

Mr. BURGESS. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I did want to delineate the membership of this board, as is outlined in the Affordable Care Act. The board will be appointed by the President with the advice and consent of the Senate, with the advice and consent of the Secretary or the Administrator of the Centers for Medicare and Medicaid Services, and the Administrator of the Health Resources and Services Administration. All of those individuals will serve as ex officio nonvoting members. But here are the qualifications for the actual board:

''The appointed membership of the board shall include individuals with national recognition for their expertise in health finance and economics, in actuarial science, health facility management, health plans, and integrated delivery systems, and reimbursement of healthcare facilities. . . .''

Missing from that picture, of course, are the people who actually provide the care to people who are involved in that doctor-patient relationship. Almost as an afterthought, here at the end of that paragraph, ''allopathic and osteopathic physicians.''

The other aspect is that no member of the board can receive outside income. That may be a good idea, but that guarantees there will not be a practicing physician on that board. I think that is a significant oversight.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I am very troubled by this. I don't want to insult my learned colleagues, but it plainly says in the legislation that IPAB cannot ration healthcare, cannot raise taxes or increase deductibles and copayments. Under the current law, section 1899A, 42 U.S.C. clearly states: ''The proposal shall not include any recommendation to ration healthcare; raise revenues or Medicare beneficiary premiums; increase the cost sharing, including deductibles, coinsurance, and copayments; or otherwise restrict benefits or modify eligibility criteria.''

□ 1245

I regret I have to do that, because it is a direct contradiction of what my good friends on the other side have told the country and what I assume that they believe.

Mr. Speaker, Russia interfered with our 2016 election. That much is clear from special counsel Mueller's investigation, which led to indictments against two Trump campaign aides. The legitimacy of our electoral system is at stake, and it is time the Republican-controlled Congress sets aside the partisan politics and treats this threat with the gravity it deserves.

If we defeat the previous question, I will offer an amendment to the rule to bring up Representative SWALWELL and Representative CUMMINGS' bill, which would create a bipartisan commission to investigate the Russian interference in the 2016 election.

Mr. Speaker, I ask unanimous consent to insert the text of the 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, one of the worst political stories I have heard in my lifetime is what we just talked about, the ''death panel,'' what it is going to do, even though it is prohibited by the written law to do the things that it has been accused of being able to do. Most of that, PolitiFact talked about the death panel part of it and said that that was the 2009 lie of the year. But here we are, 8 years later, and we keep hearing mistruths about the panel and its intent. The board is about keeping Medicare growth in line, nothing more, nothing less.

So let's be honest about what the bill really is about: attacking the Affordable Care Act. Regardless of what you think about the Independent Payment Advisory Board, the Nation has immediate problems today that deserve our attention, from healthcare to education, to infrastructure.

We should not be taking this valuable House time talking about a board that may or may not come into existence 4 years from now. That is not what we need to deal with today. So I urge a ''no'' vote on the previous question and the rule.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, ObamaCare was packed full of provisions that took power and healthcare choices away from the American people. One of the most egregious examples of ObamaCare's overreach is the Independent Payment Advisory Board, IPAB.

The architects of ObamaCare designed the IPAB as a panel of 15 unelected and unaccountable people who were tasked with making arbitrary cuts to Medicare after a certain level of spending is reached. Mr. Speaker, the American people elected Congress to make decisions on healthcare policy, and I know my constituents agree that Medicare is too important to be left in the hands of unaccountable people.

The IPAB would take an ax to Medicare spending, adversely affecting untold numbers of vulnerable seniors, instead of allowing Congress to implement patient-centered reforms that increase value to seniors and lowers cost.

The IPAB approach would lead to rationing healthcare, which would put bureaucrats—bureaucrats, not doctors—in charge of deciding what procedures folks would receive through Medicare.

Mr. Speaker, the American people deserve thoughtful and deliberative decisions by their elected officials, and that is why I support repealing the IPAB, and I ask my colleagues to join me in doing so.

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

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

I recall things a little differently. I recall the lie of the year being, if you like your doctor, you can keep your doctor, but I guess that is a debate for another day.

Mr. Speaker, today's rule provides for consideration of an important piece of legislation to protect seniors' access to healthcare from the ill-advised Medicare Independent Payment Advisory Board created by the Obama administration within the Affordable Care Act.

I thank the authors, Chairman BRADY and Dr. ROE, and the 270 House cosponsors of H.R. 849 for their thoughtful and bipartisan legislation, and I urge my colleagues to support the rule providing for consideration of this underlying bill, and then support the bill.

Mr. ROE of Tennessee. Mr. Speaker, I would like to include in the RECORD the following letter:

CONGRESS OF THE UNITED STATES,
Washington, DC, December 17, 2009.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: In July, 75 members of the U.S. House of Representatives wrote to express strong opposition to proposals, such as the ''Independent Medicare Advisory Council (IMAC) Act of 2009'' and the ''Medicare Payment Advisory Commission (MedPAC) Reform Act of 2009'' (H.R 2718, S. 1110, S. 1380), that would divest Congress of its authority for Medicare payment policy and place this responsibility in an executive branch commission or board. This letter clearly stated opposition to the inclusion of these or any other similar proposals in health reform or any other legislation, but with recent developments, we, the undersigned members, believe it is imperative to restate our strong opposition to any proposal or legislation that would place authority for Medicare payment policy in an unelected, executive branch commission or board.

Consistent with the July letter, on November 7, 2009, the House passed the ''Affordable Health Care for America Act'' (H.R. 3962) did not include provisions to create an unelected Medicare board. Yet, at present, the Senate is considering the ''Patient Protection and Affordable Care Act of 2009,'' which includes provisions to create an ''Independent Medicare Advisory Board'' (IMAB) that would effectively end Congress's authority over Medicare payment policy.

To create an unelected, unaccountable Medicare commission as envisioned in the Senate's IMAB proposal would end Congress's ability to shape Medicare to provide the best policies for beneficiaries in our communities around the country. Through the legislative process, and from Medicare's beginning, Members have been able to represent the needs of their communities by improving benefits for seniors and the disabled, affecting policies that fill the health care workforce pipeline, and ensuring that hospitals are equipped to care for diverse populations across our individual districts. Such a responsibility is one that is not taken, nor should be given away, lightly.

These proposals would severely limit Congressional oversight of the Medicare program, and to place this authority within the executive branch, without Congressional oversight or judicial review, would eliminate the transparency of Congressional hearings and debate. Without the open and transparent legislative process, Medicare beneficiaries and the range of providers who care for them would be greatly limited in their ability to help develop and implement new policies that improve the health care of our nation's seniors. An executive branch Medicare board would also effectively eliminate Congress's ability to work with the Centers for Medicare and Medicaid Services to create and implement demonstration and pilot projects designed to evaluate new and advanced policies such as home care for the elderly, the patient-centered medical home, new less invasive surgical procedures, collaborative efforts between hospitals and physicians, and programs designed to eliminate fraud and abuse.

The creation of a Medicare board would also effectively eliminate state and community input into the Medicare program, removing the ability to develop and implement policies expressly applicable to different patient populations. Instead, national policies that would flow from such a board would ignore the significant differences and health care needs of states and communities. Geographic and demographic variances that exist in our nation's health care system and patient populations would be dangerously disregarded. Furthermore, all providers in all states would be required to comply even if these policies were detrimental to the patients they serve. Such a commission could not only threaten the ability of Medicare beneficiaries, but of all Americans, to access the care they need.

Finally, as the people's elected representatives, we must oppose any proposal to create a board that would surrender our legislative authority and responsibility for the Medicare program to unelected, unaccountable officials within the very same branch of government that is charged with implementing the Medicare policies that affect so many Americans. Therefore, we must strongly oppose the creation of IMAB, IMAC, a reconstituted MedPAC or any Medicare board or commission that would undermine our ability to represent the needs of the seniors and disabled in our own communities. Again, we urge you to reject the inclusion of these or any like proposal in health reform or any other legislation.

Sincerely,

Richard Neal, Gary Ackerman, Shelley Berkley, Brian Bilbray, Tim Bishop, Marsha Blackburn, Mary Bono Mack, Ginny Brown-Waite, Michael Burgess, G.K. Butterfield, Steve Buyer, Kendrick Calvert, Michael Capuano, Russ Carnahan, Bill Cassidy, Donna Christensen, Judy Chu, Yvette Clarke, William Lacy Clay, Joe Courtney.

Joseph Crowley, Susan Davis, William Delahunt, Eliot Engel, Sam Farr, Bob Filner, John Fleming, Barney Frank, Phil Gingrey, Alan Grayson, Gene Green, Brett Guthrie, John Hall, Maurice Hinchey, Mike Honda, Steve Israel, Hank Johnson, Steve Kagen, John Lewis, Nita Lowey.

Steve Lynch, Daniel Maffei, Carolyn Maloney, Edward Markey, Eric Massa, Doris Matsui, Jim McDermott, Jim McGovern, Jerry McNerney, Kendrick Meek, Gregory Meeks, Jerrold Nadler, John Olver, Bill Pascrell, Donald Payne, Laura Richardson, Phil Roe, Mike Rogers, Dana Rohrabacher.

Bobby Rush, Linda Sanchez, Allyson Schwartz, Pete Sessions, Pete Stark, Mike Thompson, Patrick Tiberi, John Tierney, Edolphus Towns, Lynn Woolsey.

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

AN AMENDMENT TO H. RES. 600 OFFERED BY MS. SLAUGHTER

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 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 her consideration of the bill.

SEC. 3. 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 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 3922, COMMUNITY HEALTH AND MEDICAL PROFESSIONALS IMPROVE OUR NATION ACT OF 2017

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 601 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 601

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3922) to extend funding for certain public health programs, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, modified by the amendment printed in part B of that report, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Energy and Commerce; and (2) one motion to recommit with or without instructions.

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), 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 in which 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 601 provides for the consideration of a critical bill to provide health insurance and healthcare to millions of underprivileged children. This package, which includes two separate bills: H.R. 3922, the Community Health And Medical Professional Improves Our Nation, CHAMPION, Act of 2017; and H.R. 3921, the Healthy Kids Act. This was reported out of the Committee on Energy and Commerce after lengthy deliberation and negotiation and a lengthy markup.

The rule provides for 1 hour of debate, equally divided and controlled by the chair and the ranking member of the Committee on Energy and Commerce.

The rule adopts an amendment from the chairman of the Energy and Commerce Committee, modified by a second amendment by the same author, combining the two bills into the package on the floor today.

Further, the rule waives all points of order and makes in order no further amendments to the legislation. However, the minority is afforded the customary motion to recommit.

The congressionally appropriated stream of funding for the Children's Health Insurance Program expired at the end of September. Funding for other important public health programs, such as community health centers, the National Health Service Corps, and Teaching Health Center Graduate Medical Education, also expired at the end of September.

While every State that receives Federal funding through these programs continues to have adequate dollars to maintain health insurance for every enrolled child, several States are beginning to exhaust their unspent 2017 funds and redistributed funds from the Center for Medicare and Medicaid Services. With November now upon us, waiting any longer will only put more

pressure on those States to begin sending notifications to children and families that they are losing their coverage for those programs; so it is important that we reauthorize funding for the Children's Health Insurance Program and other programs now.

H.R. 3922, the CHAMPIONING HEALTHY KIDS Act, will achieve that important task. It is essential to our efforts to ensuring that these programs continue to meet the healthcare needs of children and families who have come to rely upon them.

Today, more than 8 million low-income children across our country depend on the Children's Health Insurance Program for many of their healthcare services. These include routine doctor visits, immunizations, prescription medicines, and dental care. Through flexible, capped allotments to the States, the program has been able to successfully support these children, while providing States with opportunities to tailor their respective programs as best meet the needs of their respective populations.

The CHAMPIONING HEALTHY KIDS Act would extend CHIP for another 5 years, which is the longest extension since its inception in 1996. An extension through fiscal year 2022 will provide financial stability for every State's CHIP program and certainty for those children and their families who are covered. Additionally, ensuring coverage for CHIP-eligible children will make them less likely to have to enroll in Medicaid or ObamaCare.

This bill also contains and maintains a provision under the Affordable Care Act that provided 23 percent increased matching for 2 years; then that draws down to an increase of 11.5 percent matching in the third year; and then, finally, provides funding at pre-ACA levels for the final 2 years.

These funding levels will provide the States enough time to plan their budgets before returning to the regular CHIP matching rates, thereby restoring the fiscally responsible Federal-State Medicaid partnership.

While reauthorizing CHIP funding is the primary focal point of this legislation, the CHAMPIONING HEALTHY KIDS Act also includes other important provisions relating to our Nation's healthcare. The bill provides a 2-year extension of funding for Federally Qualified Health Centers, community health centers.

One in thirteen individuals nationwide relies upon a community health center to receive healthcare services. The Community Health Center Fund plays an important role in supplementing the services that Federally Qualified Health Centers are able to deliver to underserved communities by providing care to all Americans, regardless of income or ability to pay.

Funding for the Teaching Health Center Graduate Medical Education program is also extended for another 2 years.

The legislation includes a 2-year extension of other important health programs, including funding for the National Health Service Corps, Family-to-Family Health Information Centers, the Youth Empowerment Program, the Personal Responsibility Education Program, the Special Diabetes Program for Type 1 Diabetes, and the Special Diabetes Program for American Indians.

In addition to the important funding streams addressed in this bill, the Committee on Energy and Commerce incorporated a way to help our Nation's territories in a time of need following recent natural disasters. The bill includes more than $1 billion for the Medicaid programs in both Puerto Rico and the U.S. Virgin Islands. This funding should assist our territories in providing care for their populations who have faced substantial devastation from Hurricanes Irma and Maria.

The Medicare funding issue is unique to Puerto Rico and the United States citizens living in the territories. This was a problem that predated the hurricanes, but it was exacerbated by the devastation that the storm brought to the islands. Without a legislative fix from Congress, this will be an ongoing and festering problem until it is properly addressed, and the bill before us today begins to do just that.

□ 1300

Additionally, the bill delays the $5 billion in cuts to many of the hospitals across the country from the Affordable Care Act-mandated Medicaid disproportionate share hospital reductions for fiscal years 2018 and 2019. I am sure that many of my colleagues have heard from hospitals in their districts whose ability to remain operational and to continue to provide care could be jeopardized by these payment cuts.

These cuts are offset in future years, adding an additional $6 billion in reductions in fiscal year 2021, 2022, and 2023. This delays but does not fix a problem that ObamaCare created for safety net hospitals. It is one which we will have to revisit, but it delays the cuts that have already been affected by current law and protects these safety net hospitals which provide care to the neediest citizens in our country.

Not only does the CHAMPIONING HEALTHY KIDS Act reauthorize funding for essential health programs, the bill is fully offset. It will not add to the national debt. The Committee for a Responsible Federal Budget called this a ''responsible health package,'' noting that the $18 billion cost of the bill is fully offset with savings beyond the 10-year budget window.

One of the ways that costs are offset was to alter the qualified health plan grace period so that it would align with State law grace period requirements. This involved changing, in the Affordable Care Act, the grace period for subsidized individuals from 90 days to 30 days unless a State specifically allows otherwise.

It also redirected $6.4 million from the Prevention and Public Health Fund to help pay for the legislation. This fund is required by law to receive $2.5 billion in annual appropriations which must be used for prevention, wellness, and public health initiatives administered by the Department of Health and Human Services. If Congress—let me say it again—if Congress does not direct these funds toward specific efforts, the Secretary of Health and Human Services has the authority to spend the funds however he or she deems fit.

While we are redirecting these taxpayer dollars, the overarching purpose of the funding is still to improve the health and wellness of Americans through existing mechanisms, and community health centers will do just that.

We allow for certain wealthy Medicare beneficiaries with individual incomes of over $500,000 to pay increased premiums in order to offset some of the cost of authorizing these programs. These beneficiaries will be subject to higher premiums, thereby increasing their overall cost, but still their cost will be lower than if they purchased insurance on the exchange.

The CHAMPIONING HEALTHY KIDS Act is a fiscally responsible way to fund some of our Nation's most important public health programs. The bill would ensure continued access to care for children and individuals who rely on the programs for vital healthcare services.

Mr. Speaker, this is a good bill. Mr. Speaker, these offsets are reasonable. For these reasons, I encourage my colleagues to support today's rule and support the underlying bill, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, 33 days ago, funding for the Children's Health Insurance Program, which 9 million children rely on for their healthcare and well-being, expired after the program was allowed to lapse. States crafted budgets, assuming Federal CHIP funding would arrive on time as it has always done, and they are now scrambling to develop a patchwork solution to keep the program alive.

Six States and the District of Columbia have warned they will run out of funding by December, next month. Thirteen States say they will soon have to tell enrollees they could lose coverage without immediate congressional action. Utah officials have even considered sending letters to enrollees as early as this week letting them know the program is being forced to wind down.

The Kaiser Family Foundation has found that 32 States are expected to run out of funding by March if Congress fails to act. I am glad we are here today with a bill to reauthorize CHIP and other public health programs, but they are woefully inadequate.

This bill is paid for by eviscerating funding from one of the most important parts, again, of the Affordable

Care Act that helps to keep people well: the Prevention Fund. This fund focuses on children's health, expanding access to lifesaving vaccines and reducing the risk of lead poisoning, among many other things.

This is a particularly heartless cut when you consider that many residents of Flint, Michigan, still can't get a clean glass of water from the faucet or bathe in uncontaminated water 3 years after the water crisis began. Children there in Flint will be forced to live for the rest of their lives with impacts ranging from neurodevelopmental damage and behavioral changes to hypertension and anemia, damage caused by a government that failed to act.

If it fails to adequately fund Medicaid for Puerto Rico and the U.S. Virgin Islands as they continue to try to rebuild following the devastating recent hurricanes, that would be a compounding of the tragedy. This bill fails to waive the requirement that both of those islands match Federal investment before they can access any of the Medicaid funding, and we don't deal with that at all, even for CHIP.

Seventy percent of Puerto Rico doesn't even have power 6 weeks after Hurricane Maria hit. I am proud to say that a lot of New York utility workers are down there now, and I am sure we will see results soon. Residents of Puerto Rico are washing clothes and bathing in contaminated streams and rivers, and drinking it as well. A million people there still don't have any running water. They don't have the ability to put up millions of dollars, either, to match these funds because they are struggling to survive. We don't address that. These are American citizens, and we have an obligation to help them.

These reauthorizations are a chance to really work together and deliver, but we are worried about this opportunity because there is no indication that this bill could pass the Senate with the cuts that it has made to the Affordable Care Act. I am referring, of course, to the ones that relate to preventive care. That would be a major tragedy.

As I have already said, so many States are right at the edge of not being able to fund the program at all. Other States are ready to tell both community health services and CHIP that they are no longer providing for them.

This partisan approach will only delay the extension of the programs even further. I consider that a major dereliction of our duties.

Mr. Speaker, I reserve the balance of my time

Mr. BURGESS. Mr. Speaker, I yield myself 30 seconds in response before yielding to the chairman of the Rules Committee.

It pains me to hear people talk about the 33-day delay in getting SCHIP funding resubmitted. I just want to assure the House of Representatives that Republicans on the Subcommittee of Health in the Energy and Commerce Committee have been ready to go with this legislation. We did our legislative hearings early in the summer, as the gentleman will recall because he was there, and we were ready for our markup in the month of September.

Why was it delayed? Let me reference an article from CQ News, October 23, 2017: ''Democrats do not want a children's health insurance bill to come to the floor this week for a vote, said Frank Pallone, Jr., ranking member of the House Energy and Commerce Committee at a district event. . . .''

'' 'The idea is to not have the bill come to the floor this week,' said Pallone. . . .''

I include in the RECORD a copy of the CQ News article.

[From CQ News, Oct. 23, 2017]

HOUSE DEMOCRATS PUSH TO DELAY CHILDREN'S HEALTH VOTE

(By Sandhya Raman)

Democrats do not want a children's health insurance program bill to come to the floor this week for a vote, said Frank Pallone Jr., ranking member of the House Energy and Commerce Committee at a district event broadcast on Facebook Live on Monday.

''The idea is to not have the bill come to the floor this week,'' said Pallone, emphasizing that Democrats still want to find a bipartisan compromise and will not accept the changes to Medicare or Medicaid that Republicans want to use to fund the coverage. He later added, ''This is supposed to come up Thursday. Hopefully, it won't.''

Pallone suggested that the process could be lengthy if the House passes a partisan bill and the Senate does not act quickly to pass their bipartisan measure. The two likely would have to be reconciled through conference negotiations.

''We're going to just delay this for months, and the end result could be we don't deal with this until the end of the year,'' said Pallone, speaking at a community health center.

Democrats disagree with the offsets in House bills to reauthorize CHIP (HR 3921) and community health centers and other safety net programs (HR 3922). The CHIP bill's offsets include increasing premiums for Medicare recipients with income over $500,000 a year and limiting Medicaid benefits for lottery winners. In addition, Democrats take issue with an offset that would bill other insurance before Medicaid for recipients who use more than one form of coverage.

The offsets for the community health centers include changes to undermine the 2010 health care law (PL 111–148, PL 111–152) including cutting almost $6.4 billion from the Prevention and Public Health Fund over 10 years. Republicans also would allow states to create their own grace periods for individuals on the exchanges to pay their premiums or use a default one-month grace period. The current grace period is three months.

''If you miss it and you don't pay it, you can't get your insurance. You've got to reenroll for the next year,'' Pallone said about the grace period.

''The problem is that they haven't been willing to give much on taking this money from the Affordable Care Act or Medicare, but why do they even have to come out of health care at all? Why can't we use another vehicle to pay for it?'' said Pallone, adding, ''Part of that could be cut back significantly.''

Democrats also object to the way Puerto Rico's Medicaid funding in the CHIP bill would be addressed.

''They're still requiring a state match from Puerto Rico,'' said Pallone. ''The bill funds a little bit, but it's totally worthless if Puerto Rico has to come up with the match.''

The island does not have money to contribute, Democrats say.

Earlier this month, Committee Chairman Greg Walden of Oregon asked his Democratic colleagues to suggest offsets that may be more amenable than those currently in the bill that the committee passed. Last week, Walden said in a statement that he had not received any Democratic offers.

Democrats contend they have put suggestions on the table.

One idea would require drug companies to help seniors better afford their prescriptions by closing a funding gap, known as the ''doughnut hole,'' in Medicare coverage. Currently, seniors have to pick up more costs after a certain spending threshold until they hit another limit when Medicare resumes paying for coverage.

''We've been making offers back. One of the things we said is make the drug companies pay for the doughnut hole. We still have a doughnut hole for Medicare Part D. So if they pay for the cost of that, that could be used as a payfor,'' said Pallone.

''This bill that may go to the floor next week is going nowhere,'' said Pallone, stating that it would ''be a totally partisan vote.''

Federal funding for CHIP expired Sept. 30. The Centers for Medicare and Medicaid Services has redistributed unused CHIP funds to nine states and territories including Arizona, California, Minnesota, Washington, American Samoa, Guam, Northern Mariana Islands, U.S. Virgin Islands and Oregon. The funds come from unused CHIP allotments from previous years and are used to help states that are running low on their current year funds.

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I really appreciate the distinguished gentleman from Lewisville, Texas, Dr. MICHAEL BURGESS, who serves several roles in this House of Representatives. First of all, he is chairman of the Subcommittee on Health for the Energy and Commerce Committee—actually, his favorite committee—and then his duties at the Rules Committee, and MIKE has spent a good number of years in service to the entire body. I want to thank Dr. BURGESS for his personally handling not only this matter, but bringing to Congress a really strong attitude that he has about children.

Dr. BURGESS, for a number of years since his early days in Parkland Hospital in Dallas, Texas, as a resident and then becoming an obstetrician-gynecologist who served not only the Dallas area, thousands of people, but he brought to that a love of children, women, and families to give precious life to the United States of America, I want to thank him for his healthy child bill that he brought to the Energy and Commerce Committee.

Mr. Speaker, let me say this. The gentlewoman from New York, the ranking member of the Rules Committee, and the entire committee yesterday spent a great deal of time not only looking at this particular bill, but other very germane issues related to healthcare. My colleagues, including

the gentlewoman from New York, really have the best heart in this. I believe this is an issue where we agree. We agree that children's health is not only an important part of what Congress should be involved in but, actually, resolving the issues.

She is very correct. Several weeks ago it was brought up in the Rules Committee the timeliness of this issue, the appropriateness of the Rules Committee handling this bill to get it to the floor so that we would allow not only the American people to understand what we were doing, but, really, to put it in play so that this could be handled by the United States Senate and the President.

I want to congratulate my colleagues. I think that my colleagues, to a person, understand the importance of this—and certainly MIKE BURGESS' leadership at Energy and Commerce Committee—but also the Rules Committee. So reauthorizing the Children's Health Insurance Program, or CHIP, as it is known, is vitally important. It is important because there are some 400,000 children in Texas, alone, where Chairman BURGESS and I live.

We see not only families, but we see the healthcare community. We see other elected officials and just normal people at home who expect us to get our work done. We are today. In fact, we are not only getting it done, but, as Chairman BURGESS has talked about and even as the gentlewoman, Ms. SLAUGHTER, has talked about, there will be States at the end of November that will be running on fumes, be running on empty, and a good number of States are funded until probably February or March. But that is not a reason for us to delay.

So we are here, respectfully, to ask the entire body, Republicans and Democrats, and also to let the American people know that the Children's Health Insurance Program, through the efforts of MIKE BURGESS and through the efforts of GREG WALDEN as chairman of the committee, who have worked very diligently to make sure that it not only comes to the floor, but that the new nuances of the bill that will include many, many good bipartisan ideas will be offset, and it will be offset. We are going to have to make sure as we move forward that those are careful instructions that we all understand.

But the bottom line to this is, Mr. Speaker, this Congress, because of the bipartisanship, because of the ability, because of the importance of CHIP, is handling this today.

We are going to ask all Members if they did not have a chance to see what I thought was a robust, distinguished panel that came to us yesterday to talk about this, but also the thoughtful ideas from our Members about the importance of this, I think we can convince this body—this body, Republicans and Democrats—that the underlying legislation helps secure for 5 more years—which is what the goal was, 5 more years—to make sure that we can move forward; and it gives States the authority and the responsibility, gives the American people confidence that what we are doing to take care of this issue has not only been done, but presented in such a way that it will be successful.

That is our job, Mr. Speaker. Our job is to take the work that comes from the committee of jurisdiction—in this case, the Energy and Commerce Committee—and move that through, look at it, vet it, and make sure the best ideas happen. I am pleased and proud to be here today.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI), a distinguished member of the Energy and Commerce Committee.

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in opposition to this rule. For months, House Republicans have delayed action to fund CHIP and community health centers. These programs are critical in our communities and cannot survive without this funding.

□ 1315

They have always been bipartisan, but, unfortunately, the bill before us today is not. Instead of working with us, Republicans have focused on TrumpCare and sabotaged the ACA. Now they have put forward this bill full of poison pills that will only further delay funding these critical public health programs, and to turn what has been traditionally a bipartisan process into a political game does a disservice to families.

H.R. 3922 eliminates the ACA's Prevention and Public Health Fund which helps people in my district and other districts get vaccines, prevent diabetes, and combat heart disease. The reason we put the preservation fund in the ACA in the first place was to reorient our health system towards prevention, which ultimately saves money and keeps people healthier.

We all want to ensure kids have the insurance that they need to access affordable care, but slashing benefits that will in the long term hurt the very children and families that CHIP and the community health centers help, as this bill does, is the wrong way to go. Through its cuts to the Prevention Fund, this legislation is another attempt by Republicans to undermine the ACA.

Unfortunately, this is just one of many acts of sabotage that we have seen over the last year from the Trump administration and congressional Republicans.

On top of these attacks on the Affordable Care Act, H.R. 3922 creates a false choice between helping seniors and helping kids. This legislation makes changes to Medicare that will hurt all seniors' benefits in the long term.

Democrats have offered solutions that would pay for funding CHIP and community health centers in a way that doesn't rob Peter to pay Paul. I support the substitute amendment offered by Ranking Member PALLONE which would do just that.

Mr. Speaker, I am extremely disappointed that the Republicans have chosen this partisan path for programs that are so dear to our communities, and I urge my colleagues to vote ''no'' on H.R. 3922 and to support the Democratic substitute.

Mr. BURGESS. Mr. Speaker, I yield myself 30 seconds for the purpose of a response before I yield to the gentleman from Georgia.

Mr. Speaker, if we are going to tell stories, then ''once upon a time'' should be part of our opening.

This bill merely takes some of the discretion for the Prevention and Public Health Fund away from the administration and returns it to Congress where it is supposed to be in the first place, so we take discretion over some of the Prevention and Public Health Fund dollars away from the executive branch and redirect these dollars to proven public health programs that enjoy broad, bipartisan support in Congress like the community health centers. Every Democrat voted for the Cures for the 21st Century, and it did exactly the same thing.

Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, we are here over a month late to reauthorize CHIP while the families of 9 million children are holding their breath to see whether their kids are going to have health insurance. We are bringing this up now because my colleagues on the other side of the aisle asked us to delay, and, in good faith, we did.

Over 232,000 children in Georgia rely on CHIP for their health insurance. My constituents are asking why we delayed it. I am sad to have to tell them that my colleagues on the other side of the aisle decided to delay our efforts to pass the bill out of the Energy and Commerce Committee, and they then decided to delay bringing the bill to the floor for a vote.

I would hope that they would have a good reason for these delay tactics, but the truth is that they opposed a provision that was requested by President Obama in his fiscal year 2013 through fiscal year 2017 budgets that has a minor impact on the highest earners under Medicare.

This is politics at its worst, and I stand here today to say that enough is enough.

The Energy and Commerce Committee's markup of this bill was stalled three times because our friends decided to oppose a policy that the previous administration supported. When the American people tell us that they are fed up with the partisan politics, this is exactly what they are talking about.

Mr. Speaker, I ask my colleagues to join me today in putting the needs of 9 million children above short-term political interests.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise to voice my opposition to this rule and to the underlying bill.

First, by the way, my colleague from California (Ms. MATSUI) talked about the Democratic substitute. But let's be clear, it is our Republican colleagues, the majority, who would not make a Democratic substitute in order that would allow us to come here to have a debate on their proposal and what we proposed. How about that for democracy in the United States House of Representatives? No Democratic substitute.

So let's leave that aside and focus on what we have here today. Again, opposed to the rule, opposed to the bill.

The Children's Health Insurance Program is vital for millions of our Nation's most vulnerable citizens—our children. The gentleman before spoke about 9 million children. Yes. But do you know how long we have waited for the majority to reauthorize the Children's Health Insurance Program? The length of time is shameful. But even more shameful is how the majority intends to pay for the Children's Health Insurance Program.

This is what the bill does. The bill includes massive cuts to something called the Prevention and Public Health Fund. What is the Prevention and Public Health Fund? It is inclusive of many of the programs that we rely on in order to save lives.

Yes. They are the programs that go to help our community health centers be able to treat people who come to their door. Twenty-three million people in the United States use community health centers. It is often their primary care.

But let me lay out for you what some of these programs are: the Centers for Disease Control childhood vaccines—vaccinations and immunizations for our kids being cut—lead poisoning prevention. You go to any community in this country, and they will tell you whether it is water or whether it is paint. Some of our children have the highest levels of lead, and what we need to be doing is screening them at a very early age so that we can address the issue. They cut this out, also the Centers for Disease Control heart disease program, stroke and diabetes programs, breastfeeding grants for hospitals, childhood obesity prevention, and suicide prevention. We are looking today at an opioid crisis in this Nation that so often results in suicides, and they are willing to cut the heart out of the Prevention Fund programs to fund the Children's Health Insurance Program.

So we are harming children at one end of the spectrum and robbing the money from that end of the spectrum to pay for the Children's Health Insurance Program, which I am a big supporter of. So we are stealing from this prevention program.

Now today, my Republican colleagues have offered a tax cut proposal. Take a hard look at it because the richest, the wealthiest, and those with the most lobbyists are the biggest beneficiaries of these tax cuts, and middle class working families will get the short end of the stick. Those people who make over $1 million—several million dollars—are going to get the benefit of the tax cut. Why aren't we taking that money and paying to reauthorize the Children's Health Insurance Program rather than taking the money from the Prevention and Public Health Fund?

So instead of providing tax cuts today for the richest 1 percent of Americans, we could have a strong Children's Health Insurance Program, and we could have a strong Prevention and Public Health Fund that does not have to make these egregious cuts.

I think there is one more point that people need to know about this bill. The bill cuts something that was in the Affordable Care Act—the grace period. They cut that back to 30 days. That means if someone misses one health insurance payment, they can lose their insurance for the remainder of the year.

Today, our biggest economic challenge as a nation is that people are in jobs that just don't pay them enough to live on. They can't afford their healthcare. It is cruel, and it is a brazen attempt to undermine the Affordable Care Act, which, quite frankly, has been the majority's agenda for a very long time.

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

Ms. SLAUGHTER. Mr. Speaker, I yield the gentlewoman from Connecticut an additional 30 seconds.

Ms. DELAURO. There is no need to play off children's health insurance against the Prevention and Public Health Fund. There is no need to cut back on the grace period for the folks who may miss one health insurance payment.

So I urge my colleagues: don't be cruel; don't be inhumane. To those of my colleagues who will say no to this, you stand on solid ground. You stand with families in this Nation. You stand with children when you say no to cuts that are going to hurt their lives.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Alabama (Mr. BYRNE), who is a fellow member of the House Rules Committee.

Mr. BYRNE. Mr. Speaker, I thank my colleague for yielding, and I rise to extend my support for this rule and the underlying legislation.

This legislation funds critical, bipartisan health programs that help keep our communities healthy.

Mr. Speaker, I have long been a strong supporter of CHIP because I have seen it in action back in my home State of Alabama. I served on the Alabama State School Board back when Alabama implemented our CHIP program, known as ALL Kids. ALL Kids was the first CHIP program in the country, and it has made a real difference. In fact, the uninsurance rate for children in Alabama has gone from 20 percent pre-CHIP to 2.4 percent today.

For 83,000 Alabama children under 19, the program offers low-cost, comprehensive healthcare coverage that includes regular checkups, immunizations, sick child doctor visits, prescriptions, vision care, dental care, and much more.

CHIP has always been a bipartisan program, and I hope this reauthorization will earn bipartisan support for the children of America.

This legislation also reauthorizes the community health centers fund. I am a huge champion of community health centers because, again, I have seen them work in Alabama from the Mostellar Medical Center in Bayou La Batre to Franklin Primary Health in Mobile to Southwest Alabama Health Services in McIntosh. These centers are vitally important to so many Americans, but especially to low-income families and those in rural areas.

One in 13 people nationwide rely on a health center for their healthcare needs, and this reauthorization is necessary to ensure those individuals continue to receive access to medical care.

This legislation also includes many other healthcare provisions to meet other priorities. Among these provisions, I am pleased the legislation continues Medicaid disproportionate share hospital payments, or DSH payments, as they are commonly known.

DSH provides funding to hospitals that treat a large number of indigent patients. DSH is absolutely critical to the life of Alabama's hospitals, and failure to renew these important payments could result in numerous hospital closures in our State.

So, Mr. Speaker, I urge my colleagues on both sides of the aisle to get behind this legislation and ensure it gets across the finish line. We should not let petty political arguments keep us from ensuring that children have access to affordable health insurance, keeping the doors open at community health centers, or allowing Alabama's hospitals to continue serving communities in need.

Ms. SLAUGHTER. Madam Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PALLONE), who is the distinguished ranking member of the Committee on Energy and Commerce.

Mr. PALLONE. Madam Speaker, I want to thank the ranking member of the Rules Committee.

I just want to express the tremendous frustration that I have and that Democrats have in general with the way the Republican leadership has handled the CHIP bill, IPAB, and community health centers, the legislation we are considering today and tomorrow.

First of all, I need to point out that it was over a year ago when I asked

leadership of our committee to try to come up with bipartisan legislation with regard to community health centers and SCHIP, the children's initiative, and all they wanted to do from January until September—9 months—was repeal the Affordable Care Act.

□ 1330

That is all they were interested in. They didn't want to hear anything about CHIP or community health centers, just repeal the Affordable Care Act.

My colleagues on the other side suggested that somehow, because of CHIP, they are very concerned about kids. Well, the fact of the matter is, if you repeal the Affordable Care Act, children—everyone—and community health centers would suffer such damage because they would lose their health insurance or the underpinnings of the community health centers, which have been financed with the Affordable Care Act, that any suggestion that somehow because you are concerned now about CHIP or community health centers is belied by the fact that you spent the last 9 months, through September, trying to repeal the Affordable Care Act. If you really cared about these things, then you would not have sought that repeal.

Once that repeal seemed to be over in September, then the Republicans on the committee and the leadership were willing to talk about CHIP and community health centers. But mind you, the authorization for those two programs ended September 30. So it was literally too late.

Now my colleagues on the other side say: Oh, well, we are bringing this bill up today because we really care about kids and community health centers.

Exactly the opposite. If you did care, in the sense that you wanted to get legislation passed, then you wouldn't bring this bill up today. We all know that if the bill is not bipartisan, which it is not, it will never pass the Senate. What is going to happen is these bills will pass on a partisan vote on Friday and, as a consequence, they will go to the Senate and there will be no action and we will have to deal with this at the end of the year as part of some larger omnibus spending bill or whatever we do at the end of the year.

So anyone who tells you that the Republicans, in trying to pass a partisan bill, are actually moving forward on CHIP or on community health centers, that is simply not true.

Now, what are we facing here with these three bills? And I include IPAB, CHIP, and community health centers. What we are really facing is another effort on the part of the Republican leadership to repeal or sabotage the Affordable Care Act.

All these things are part, in some fashion, of either pay-fors or authorization of the Affordable Care Act. The fact of the matter is, we are now seeing what I would call piecemeal repeal.

You couldn't repeal it outright, so you do a piecemeal repeal. You repeal IPAB. You basically use funding from the Prevention Fund and you gut that so you can pay for the CHIP funding. You change the grace period so something like half a million people lose their health insurance. Meanwhile, the President of the United States is out there every day issuing executive orders to get rid of cost-sharing subsidies to cut back on the outreach program.

If you look at all this, it is nothing more than a piecemeal repeal of the Affordable Care Act. It is sabotaging the Affordable Care Act.

This has not changed. The first 9 months to September, outright repeal. Now, between now and the end of the year, piecemeal repeal. Every day, a different bill.

The real inconsistency, which is the best I can say about what is going on, is to say that we have to come up with offsets to pay for the Children's Health Initiative Program and the community health centers, but we don't have to do it for IPAB. $17.5 million is what it is going to cost, according to the CBO, to repeal IPAB. If you use that money, it would almost pay for the CHIP and the community health centers bill that will be considered the next day.

So, again, we have this total inconsistency suggesting that somehow we care about one thing. What is really go on is robbing Peter to pay Paul. The way that you pay for the community health centers and the CHIP bill, basically, sabotaging the Affordable Care Act, is you shorten the grace period from 90 days to 30 days, when people, if they don't pay their premium, will lose their health insurance. We know that maybe almost 688,000 people, according to the CBO, will lose their health insurance.

The SPEAKER pro tempore (Ms. FOXX). The time of the gentleman has expired.

Ms. SLAUGHTER. Madam Speaker, I yield an additional 1 minute to the gentleman from New Jersey.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. PALLONE. Then you have the Prevention Fund, which is used for children's lead poisoning programs, children's vaccines, and for the opioid program that the Republicans say they care so much about. These are going to go away in order to pay for CHIP and community health centers.

What is going on here is unbelievable. I just say to my colleagues: look at what is actually happening. We had a Democratic substitute and the Rules Committee wouldn't even let us consider it.

So it is not just the underlying issue of what is actually happening here in terms of the substance of the bills. It is also the process that is being used. That is why I am glad I am talking during the Rules Committee time.

We had a Democratic substitute that would have had a great piece of legislation that paid for the community health centers, paid for CHIP, without sacrificing other healthcare programs that help kids and other Americans. They wouldn't even let us consider it here today.

So I say to my colleagues: basically, vote ''no'' on the rule. Turn down this rule and let us have another opportunity to actually do something that is important and that is meaningful.

Mr. BURGESS. Madam Speaker, I yield myself 30 seconds.

First off, the gentleman may not remember that we had a legislative hearing in June on this very bill. It was delayed from June 14. The gentleman may recall there was an unfortunate circumstance of a shooting at a congressional baseball practice. In fact, a member of our committee, Majority Whip STEVE SCALISE, was in surgery, and most felt we couldn't go through with the hearing that day, but we had it 2 weeks later as soon as we could get the hearing time. So it was done well in advance of the expiration of the funding.

Furthermore, as far as the substitute goes, the minority is afforded the customary motion to recommit. I look forward to the gentleman introducing a substitute at that time.

Madam Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Madam Speaker, I thank the gentleman from Texas for his work that has just been so consistent on how we meet the needs of our health centers, the Children's Health Insurance Program, and also on the repeal for IPAB.

When we talk about IPAB, it is so important that we mention our colleague and my fellow Tennesseean, Dr. PHIL ROE, who is a Member of this Chamber. I applaud him for his consistent work on keeping that in front of us.

I think it is fair to say, as Chairman BURGESS has said, that we have worked diligently on the CHIP issue. I know that the gentleman from New Jersey is not pleased with how that is going to be paid and how we address the payments.

But I have to say, our goal, Madam Speaker, is to make certain that the States have the funding that is necessary for them to meet the needs of children who are needing these health services. This is something that we have been diligent in our work to meet those needs and to work with our States and to see how best to do this so that needs are being met right there where those children have them and that the States have the resources they need.

When it comes to the Independent Payment Advisory Board, we ought not have to be discussing this today because this is something that should never have been passed in the first place. It is something that was completely unnecessary. We are looking at going in and changing this, and for good reason.

There is a bipartisan agreement that you have to get down the costs that are

in Medicare, and I know that is not going to be an easy task.

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

Mr. BURGESS. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Tennessee.

Mrs. BLACKBURN. Madam Speaker, I think one of the things that we know, when you are looking at IPAB, you don't want to give those decisions of how you are going to adjust healthcare for Medicare enrollees to 15 unelected, appointed bureaucrats that really have no responsibility to anyone in this process.

This is our responsibility. It is appropriate that Congress recoup that responsibility, that we make these decisions. I support the legislation that is in front of us.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, let me make a proclamation here on the floor of the House, and that is that all the sweat and tears of the Democratic Members, although we offered the opportunity to our Republican friends to do something about healthcare, all of our sweat and tears proved to be a successful response to the 25 million uninsured Americans.

No matter how much our friends on the other side of the aisle try to nitpick and pick away at a successful affordable care program, they simply cannot do it.

To the American people: It worked. It worked because we included and supported healthcare for children with CHIP. It worked because we supported and expanded community health centers. It worked because we had IPAB, which is not going to be in effect until 2021 and not to do anything but preserve Medicare.

On the other hand, today we have a pronounced tax bill that will jeopardize the Medicare trust fund, will take millions and billions away from Medicaid. The last hammer in the coffin will be the destruction of the Children's Health Insurance Program and community health clinics.

Let me be very clear: I happen to be in an area in the southern part of Texas, from Corpus to Port Aransas, to Rockport, to Beaumont, to Houston and Harris County, where Hurricane Harvey devastated our community.

Healthcare is crucial. Many of our hospitals were under water. People were not able to access healthcare. The community health clinics are the best neighborhood source of healthcare.

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

Ms. SLAUGHTER. Madam Speaker, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. Madam Speaker, the legislation by my friends is to destroy Peter to prop up Paul, rather than take the Pallone amendment—which I want to thank Ms. SLAUGHTER for offering in the Rules Committee—to provide real funding and that would find a way to effectively support the Children's Health Insurance Program and, of course, the community health clinics, which, in the State of Texas, has been a lifesaver for all of our communities.

We were the poster child for having the largest number—a quarter of our people in Texas—who did not have health insurance. With the Affordable Care Act and, of course, the community health clinics, we were able to do it.

Let me finish by saying it was a bipartisan effort in 1997, with a balanced budget, that we created the Children's Health Insurance Program. It has been an effective, strong armor, if you will, around children's health.

Everywhere I go, such as the Texas Children's Hospital, they are raving about the Children's Health Insurance Program and Medicaid. Today or tomorrow, we are going to break that system by taking money from somewhere else to destroy another healthcare program and putting in this program.

Mr. BURGESS. Madam Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from Texas has 6½ minutes remaining. The gentlewoman from New York has 9 minutes remaining.

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

Madam Speaker, I want to address the issue of the Prevention and Public Health Fund.

The bill before us does redirect $8.9 billion for the Prevention and Public Health Fund to support critically important public health programs that expand access to care and improve health outcomes.

The Prevention Fund was established in the Affordable Care Act as mandatory funding for prevention and public health programs to improve health and help restrain the rate of growth in private and public sector healthcare costs.

According to statute, billions of dollars in advanced appropriations are to be used for the broad purpose of supporting programs authorized by the Public Health Service Act for prevention, wellness, and public health activities. However, prevention, wellness, and public health activities are allowable, but no Prevention Fund-specific or generally applicable definitions of these terms are to be found in the Public Health Service Act, the Affordable Care Act, or anywhere else in Federal law.

The Affordable Care Act was not accompanied by committee reports in either Chamber. The Department of Health and Human Services has not published regulations, guidance, or other information to clarify the Department's views about the types of activities that are within the scope of the Prevention Fund.

□ 1345

Annual mandatory appropriations, the Prevention Fund, continue in perpetuity. If Congress does not explicitly allocate the funding, then the Secretary of HHS has the authority to spend these dollars without congressional oversight.

This bill takes discretion over some of the—some, not all—some of the Prevention Fund dollars. It takes it away from the executive branch and redirects these dollars to proven public health programs that enjoy broad bipartisan support in Congress like community health centers, a program that employs 190,000 people and served over 24 million patients in 2015.

This has been supported in the past in other legislation, most recently in the Cures initiative, where Democrats and Republicans supported the redirecting of funding for the Prevention Fund for the specific purpose of preserving public health.

Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in May, the Republican majority recklessly passed their healthcare repeal bill without any analysis at all from the nonpartisan Congressional Budget Office, finding out a month later that it would have taken insurance away from 23 million people.

I fear the majority is going to make the same dangerous mistake with their tax bill. The New York Times reported that some sections of the bill released today are placeholders that will ''allow Republican leaders to work out the details of a new set of revenue-raisers that would be inserted in the bill before the full House votes on it''—in other words, they will be a surprise.

After the Ways and Means Committee marks up the bill, they will rewrite the bill in a back room and jam it through the House. It is beyond irresponsible to vote on a bill of this magnitude without knowing how it will impact hardworking Americans.

We employ dozens of well-qualified, nonpartisan expert economists and public policy analysts with advanced degrees in the Congressional Budget Office precisely for moments like this, and it appears the majority is again, this year, prepared to move so fast that no Member will have the benefit of their nonpartisan advice.

So if we can defeat the previous question, I will offer an amendment to the rule that will prevent this massive tax cut bill from coming to the House floor unless nonpartisan analysis from the experts at the Congressional Budget Office has been available for at least 2 days.

Madam 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. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, we don't have time to spare playing games here with the CHIP program. It is on life support in many States, with officials scrambling to try to keep it alive. This is a program, you have heard before, that 9 million children rely on.

And 2,800 community health centers are at risk of closing their doors if we do not reauthorize the community health centers. That would leave millions of people without healthcare, cost more than 50,000 jobs, and already the centers nationwide have been forced to consider cutting services following the majority's failure to reauthorize the program before it expired on September 30.

Everybody knows that these centers do remarkable work. They deliver quality care at lower cost. More than 330,000 veterans relied on them for healthcare last year alone. They could be reauthorized under a clean bill in seconds. Instead, the majority is putting them at risk through this partisan bill, which seems unlikely to pass the Senate, and we will then be nowhere.

If you want to know why only 13 percent of the public approves of Congress under the leadership, just look at the bill before us today. Republican leaders have turned even the most bipartisan programs into endeavors that seem unlikely to become law.

They have disallowed the Democratic Party to have any substitute with any other ideas that they did not have before so that we can, as Ms. DELAURO mentioned, have an honest debate. We see that time after time in the Rules Committee, the inability for our side to even get amendments passed. But not to allow a substitute bill of this magnitude is, I think, really a dereliction of duty. It speaks volumes about the inability to get things done.

And lastly, Madam Speaker, I want to recognize George Agurkis. He is sitting here with me. George has been on the Rules Committee staff for 9½ years. He is leaving us at the end of the week to take a wonderful new job and new project. He is a Pennsylvania neighbor we always could count on. He is a lot of fun. We are going to miss that and his aunt, Rose, who works in the cloakroom. And we know that she gives the best birthday parties in the world, and we don't know what we are going to do. We hope that George will come back and celebrate those with us and Rose will once again delight us with every kind of sweet thing in the world.

So back to the bill at hand. I urge a ''no'' vote on the previous question, on the rule, and on the bill, and I yield back the balance of my time.

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

I do want to address one of the things that has come up in the discussion, and that is the issue of the language in the underlying bill that supports the citizens, the American citizens in Puerto Rico.

There was a problem in Puerto Rico with their Medicare system, the way people were not automatically enrolled as they were in every other State and territory. There was a problem under the Affordable Care Act where they faced a Medicaid funding cliff.

These problems existed prior to the two hurricanes that hit the island, and a request was made to Chairman WALDEN and me, on behalf of the people of Puerto Rico, to fix these problems prior to the storms coming ashore, and that is what we fixed in the language of this bill.

I might remind this body that, when Hurricane Katrina came ashore around Labor Day of 2005, a similar problem was encountered. Ultimately, the State's share of that FMAP payment was made. It was made with funds from the Deficit Reduction Act, which were allocated on September 30, 2006, over a year later.

The fact is that there are going to be funds available to Puerto Rico to help offset their part, their match of their State's share of the Federal match, but it will likely come through the money that is appropriated for disaster relief. But we are fixing their underlying problem that existed before the hurricanes. If we don't fix it, it continues to be a problem year in and year out, and the American citizens of Puerto Rico are poorly served by that.

So this body is taking that up today, and I am proud of the fact that our subcommittee and our full committee recognize that and provided that relief.

Madam Speaker, I want to enter into the RECORD a letter from Texas Health Resources, Mr. Barclay Berdan. I want to quote from this letter: ''We . . . appreciate your leadership on delaying cuts to Medicaid DSH, which took effect on October 1, 2017.''

''Thankfully, H.R. 3922 would eliminate the scheduled Medicaid DSH reductions in fiscal years 2018 and 2019, thus allowing a critical source of funding to continue for safety net hospitals.''

TEXAS HEALTH RESOURCES,
November 1, 2017.

Hon. MICHAEL BURGESS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BURGESS: As one of the nation's largest faith-based, nonprofit health care systems, Texas Health Resources (Texas Health) provides more than 350 points of access throughout North Texas, including 29 hospitals (acute-care, short-stay, behavioral health, rehabilitation and transitional care) and more than 100 outpatient facilities, satellite emergency rooms, surgery centers, behavioral health facilities, fitness centers and imaging centers. The system also includes a large physician group, home health, preventive and well-being services as well as more than 250 clinics and physician offices to provide the full continuum of care for all stages of life. I am writing to thank you for your leadership on the Championing Healthy Kids Act of 2017 (H.R. 3922) to extend funding for the Children's Health Insurance Program (CHIP). We strongly support a five-year extension of CHIP funding, along with the elimination of reductions in fiscal years (FY) 2018 and 2019 to the Medicaid disproportionate share hospital (DSH) payments.

Texas Health has supported CHIP since its inception, and the program currently covers 8.9 million children with family incomes above Medicaid eligibility limits who lack access to affordable private coverage. The nation's uninsured rate for children is a record low of 5 percent due in part to Medicaid and CHIP coverage. While CHIP is authorized by Congress to operate until October 1, 2019, legislative action is needed to continue funding beyond FY 2017. Failure to extend CHIP funding could result in coverage losses for millions of children and increased financial pressure for states that may lead to reductions in eligibility and benefits This legislation safeguards the program by providing for a five-year extension of funding.

We also certainly appreciate your leadership on delaying cuts to Medicaid DSH, which took effect on October 1, 2017. As you know, Medicaid DSH payments support Texas Health's hospitals in serving north Texas' most vulnerable individuals—the poor, the elderly, and the disabled. Congress reduced Medicaid DSH payments in the Affordable Care Act, reasoning that hospitals would care for fewer uninsured patients as health coverage expanded. However, the projected increase in coverage has not been fully realized, and Congress subsequently delayed the start of the cuts that were scheduled to begin in FY 2014. As a result, Texas hospitals will sustain a $148 million cut in vital payments in federal fiscal year 2018. The cumulative loss for Texas hospitals for 2018 through 2024 is $3.2 billion. Thankfully, H.R. 3922 would eliminate the scheduled Medicaid DSH reductions in Fiscal Years 2018 and 2019, thus allowing a critical source of funding to continue for safety net hospitals.

Thank you for your steadfast leadership on addressing these important programs by supporting H.R. 3922. As Congress moves forward on these important issues, we appreciate your continued willingness to work with us to extend funding for CHIP, eliminate reductions to Medicaid DSH payments, and safeguard programs critical to hospitals. If we can provide you or your staff with additional information, please do not hesitate to contact.

Sincerely,

BARCLAY BERDAN,
FACHE, Chief Executive Officer,
Texas Health Resources.

Mr. BURGESS. Madam Speaker, I also have a letter from the Children's Hospital Association, which renews the call for bipartisan CHIP extension: ''Children's hospitals thank Congress for its long-term bipartisan commitment to CHIP and for the children it serves. We look forward to working with lawmakers to maintain a strong CHIP program and strengthen healthcare for children in the future.''

CHILDREN'S HOSPITALS RENEW CALL FOR BIPARTISAN CHIP EXTENSION

Children's hospitals urge Congress to protect children and families by passing a bipartisan five-year extension of the Children's Health Insurance Program (CHIP) as soon as possible.

We are pleased that members of the House Energy and Commerce Committee have developed bipartisan CHIP policies that reflect the needs of children, including a five-year extension of the program that provides for robust CHIP funding, and continue important beneficiary protections such as the Maintenance of Effort provision, funding for

the Pediatric Quality Measures Program, express lane eligibility, and outreach and enrollment grants. These policies are also included in the bipartisan Senate proposal on CHIP, and we thank the committees of jurisdiction in both chambers for including these crucial policies.

If CHIP funding is not extended soon, CHIP-enrolled children may become underinsured or uninsured altogether. CHIP is an important bipartisan health coverage program for over 6 million low-income children. CHIP builds off of a strong Medicaid program by providing age-appropriate and affordable coverage for children who fall above Medicaid eligibility levels, but lack access to other health coverage options.

Concerning reports indicate that states are taking steps to limit programs in order to address the looming funding shortfall, despite receiving federal redistribution funds. We urge Congress to act now and avoid potentially disastrous consequences caused by further delay by enacting a strong, bipartisan five-year extension of CHIP.

Children's hospitals thank Congress for its long-term bipartisan commitment to CHIP and the children it serves. We look forward to working with lawmakers to maintain a strong CHIP program and strengthen health care for children into the future.

Mr. BURGESS. Finally, Madam Speaker, I will tell you I am perplexed. I, frankly, do not understand why there is reticence to providing an offset for funding of children's health insurance by income relating to part B premiums for people who earn over $500,000 a year, seniors who earn over $500,000 a year, or a couple who earns over $875,000 a year. This was language that was included in President Obama's budget, so don't tell me it is not bipartisan, because it was bipartisan.

Now, Madam Speaker, today's rule provides for the consideration of an important piece of legislation to maintain the important funding streams for millions of underprivileged children depending on the program.

I want to thank Chairman WALDEN for his efforts to continually work with the minority on the Energy and Commerce Committee, repeatedly providing the requested extensions by the ranking member in order to continue discussions on the legislation.

The package reflects hours of work to create legislation that will benefit millions of America's children so that they can lead healthier lives. I urge my colleagues to support today's rule and the underlying legislation, the CHAMPIONING HEALTHY KIDS Act.

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

AN AMENDMENT TO H. RES. 601 OFFERED BY MS. SLAUGHTER

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

SEC. 2. It shall not be in order to consider a comprehensive tax reform measure or matter reported pursuant to Sections 2001 or 2002 of House Concurrent Resolution 71 in the House or in the Committee of the Whole House on the state of the Union unless easily searchable electronic estimates and comparisons prepared by the Director of the Congressional Budget Office and Joint Committee on Taxation have been made available on a publicly available website of the House 48 hours in advance.

(b) It shall not be in order to consider a comprehensive tax reform measure or matter reported pursuant to Sections 2001 or 2002 of House Concurrent Resolution 71 in the House or in the Committee of the Whole House on the state of the Union, that is called up pursuant to a rule or order that makes an amendment in order or considers such an amendment to be adopted, unless easily searchable updated electronic estimates and comparisons prepared by the Director of the Congressional Budget Office and Joint Committee on Taxation reflecting such amendment have been made available on a publicly available website of the House 48 hours in advance.

(c) It shall not be in order to consider a rule or order that waives the application of paragraph (a) or paragraph (b). As disposition of any point of order under paragraphs (a) and (b), the Chair shall put the question of consideration with respect to the measure, matter, or rule as applicable. The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

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. Madam 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. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

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

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

□ 1455

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PALMER) at 2 o'clock and 55 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Ordering the previous question on House Resolution 600;

Adopting House Resolution 600, if ordered;

Ordering the previous question on House Resolution 601; and

Adopting House Resolution 601, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 849, PROTECTING SENIORS' ACCESS TO MEDICARE ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 600) providing for consideration of the bill (H.R. 849) to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 230, nays 193, not voting 9, as follows:

[Roll No. 600]

YEAS—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
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
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
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
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
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
Peterson
Pingree
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Barr
Black
Bridenstine
Brooks (AL)
Gowdy
Hensarling
Peters
Pocan
Upton

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1516

Messrs. O'HALLERAN, KILMER, TED LIEU of California, and RUIZ changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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 240, nays 178, not voting 14, as follows:

[Roll No. 601]

YEAS—240

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carbajal
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crist
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
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
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Newhouse
Noem
Norman
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Russell
Rutherford
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stivers
Suozzi
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
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—178

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
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
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 (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
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)
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
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
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—14

Barr
Black
Bridenstine
Brooks (AL)
Gowdy
Hensarling
Hoyer
Lee
Marchant
Peters
Pocan
Scott, David
Stewart
Upton

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1524

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.

PROVIDING FOR CONSIDERATION OF H.R. 3922, COMMUNITY HEALTH AND MEDICAL PROFESSIONALS IMPROVE OUR NATION ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 601) providing for consideration of the bill (H.R. 3922) to extend funding for certain public health programs, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 230, nays 191, not voting 11, as follows:

[Roll No. 602]

YEAS—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
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
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
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
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
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
Pingree
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Barr
Black
Bridenstine
Brooks (AL)
Gowdy
Hensarling
Peters
Peterson
Pocan
Rush
Upton

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1531

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN MEMORY OF VICTIMS OF TERRORIST ATTACK IN NEW YORK

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House observe a moment of silence in memory of the victims of the terrorist attack in New York.

Without objection, 5-minute voting will continue.

There was no objection.

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

The vote was taken by electronic device, and there were—yeas 231, nays 192, not voting 9, as follows:

[Roll No. 603]

YEAS—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
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
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
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
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
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
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—192

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
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Barr
Black
Bridenstine
Brooks (AL)
Gowdy
Peters
Pocan
Reed
Upton

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1538

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SCALISE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 603.

Mr. REED. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 603.

OFFICIAL PHOTOGRAPH OF 115TH CONGRESS

The SPEAKER. Pursuant to House Resolution 350, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo. As soon as the photographer indicates that these preparations are complete, the Chair will call the House to order to resume its actual session for the taking of the photograph. At that point the Members will take their cues from the photographer. Shortly after the photographer is finished, the House will proceed with business.

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess.

□ 1543

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 43 minutes p.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 115th Congress.)

PROTECTING SENIORS' ACCESS TO MEDICARE ACT OF 2017

Mr. PAULSEN. Mr. Speaker, pursuant to House Resolution 600, I call up the bill (H.R. 849) to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BYRNE). Pursuant to House Resolution 600, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, shall be considered as adopted, and the bill, as amended, shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 849

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting Seniors Access to Medicare Act''.

SEC. 2. REPEAL OF THE INDEPENDENT PAYMENT ADVISORY BOARD.

Effective as of the enactment of the Patient Protection and Affordable Care Act (Public Law 111–148), sections 3403 and 10320 of such Act (including the amendments made by such sections) are repealed, and any provision of law amended by such sections is hereby restored as if such sections had not been enacted into law.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Kentucky (Mr. GUTHRIE), the gentleman from New Jersey (Mr. PALLONE), the gentleman from Minnesota (Mr. PAULSEN), and the gentleman from Michigan (Mr. LEVIN) each will control 15 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. PAULSEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material on the bill into the RECORD.

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

There was no objection.

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

I rise today in support of H.R. 849, the Protecting Seniors' Access to Medicare Act. This discussion is not new. Republicans and Democrats came together to pass this same bill back in 2015. This year there is, once again, strong bipartisan support with 45 Democratic Members and 225 Republican cosponsors. It passed out of the Ways and Means Committee last month with bipartisan support, too.

This bill will repeal the Independent Payment Advisory Board, or IPAB, created in ObamaCare, the Affordable Care Act. The IPAB puts 15 unelected bureaucrats in charge of Medicare spending with significant unilateral powers to slash payments to providers, forcing them to stop seeing Medicare patients without any accountability, judicial review, or transparency.

The board's unprecedented authority to alter Medicare policy could ultimately reduce seniors' access to healthcare and put the government, rather than the patient, at the center of the healthcare system.

Putting Medicare on a sustainable financial footing is a top priority for all of us here in Congress, but passing the buck to a handful of unaccountable bureaucrats is not the right approach.

Last year, the Medicare Trustees Report stated that this was to be the year that the IPAB's authority to make cuts would be triggered. Fortunately, this year's Medicare Trustees Report has given us slightly more time, but next year, they can come back and move that date up once again. This is a cloud that will hang over providers and beneficiaries, unless we act and pass this bill today.

Now some have stated that this bill does not solve any immediate problem, and they have questioned the need to act on the bill today. I believe that our seniors and our healthcare providers are a priority. Why should we kick the can down the road when we can stop this today?

There are letters of support from over 700 bipartisan groups representing patients, employers, hospitals, doctors, nurses, and other healthcare professionals all voicing strong support for IPAB repeal.

They believe that the threat of this board is enough to warrant repeal and to place the decisionmaking back in the hands of elected Members of Congress, and I agree.

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

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

Mr. Speaker, this is really the question: Why in the world are we taking up a bill to terminate a board that does not exist? Why in the world are we doing so when premiums are rising and action should be taken to strengthen them? Why in the world are we passing a bill that would increase the deficit by $17.6 billion? Pay for CHIP, the Republicans say, but not this bill.

So however you feel about IPAB, this is the wrong time and the wrong bill for addressing it. The ACA enrollment period began yesterday, and because of actions of the Trump administration, consumers across the country face confusion and instability in the market.

Rather than addressing these urgent issues, we are engaged today in a political exercise to repeal IPAB, a board that has no members under a provision that has never taken effect and is not projected to be triggered before 2021, according to CMS actuaries.

In September, every Democratic member of the Ways and Means Committee wrote to Chairman BRADY urging bipartisan action to stabilize the insurance market. But after repeated requests, we never received a response from the chairman, and, to date, the House has taken no action on behalf of consumers.

In the meanwhile, the Trump administration has continued to work to undermine the law and access to healthcare by: one, cutting off funding for cost-sharing assistance for moderate-income enrollees; two, slashing funds to navigators that help consumers enroll in coverage—the biggest navigator in Michigan had its funding cut by 90 percent; three, shortening the enrollment period; four, shutting down healthcare.gov on weekends; and five, proposing to chip away at consumer protections through executive fiat.

These actions have significantly contributed to insurers exiting the market and raising premiums. It is nothing less than direct and deliberate sabotage; so, instead, the Republicans today bring up a bill about a board that does not exist, and the latest is it would not until 2021, at the earliest.

There are simple actions that we can take today to repair some of the damage and, thereby, improve the insurance markets. Senators LAMAR ALEXANDER and PATTY MURRAY recently came to a bipartisan agreement that would provide funding for the cost-sharing reductions and outreach and enrollment activities that strengthen the risk pool in the marketplace.

Unfortunately, as we see today, my Republican colleagues continue to ignore these and other important issues, while allowing an administration, obsessed with repeal of ACA, to do so through executive action what could not be done legislatively.

What is more, they are bringing to the floor today a bill that the Congressional Budget Office estimates will raise the deficit by $17.5 billion over the next decade. I repeat, raise the deficit by $17.5 billion over the next decade. And this is just a small preview of the coming GOP tax bill, which would increase our Nation's debt by $1.5 trillion according to the Republican's own budget resolution.

And whatever happened to the crocodile tears we used to hear from Republicans about the deficit? In terms of today's bill lacking any offset, how about at least starting to address the staggering cost of prescription drugs, a step that would save both senior citizens and the Medicare program money.

Mr. Speaker, the American people need Congress to take action to lower their healthcare costs and to stabilize the markets. They do not need today an irrelevant political bill such as H.R. 849. If you support real steps to lower health insurance premiums now, vote ''no'' on this bill.

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

Mr. PAULSEN. Mr. Speaker, I yield myself such time as I may consume, and let me just start by saying that some of my colleagues on the other side of the aisle have called on us to work with them over and over again to find common ground, to make fixes in the flaws in ObamaCare.

□ 1600

Today we have an opportunity to do exactly that. We should all be joining together. There is bipartisan support on this bill to eliminate this unnecessary and potentially very destructive body, one that I would define as a major flaw in the law. This is the exact process that we have been asking for—you have been asking for.

The bill has been through regular order. We have had countless hearings on this topic. We have actually voted not once, but twice, in past Congresses to repeal the IPAB to keep it from harming access to seniors' care.

So today we are bringing this bill forward—this legislation forward—as a stand-alone provision, not tied to any other policies, to once and for all allow Members to say whether they support or oppose this unaccountable board.

Mr. Speaker, I yield 4 minutes to the gentleman from Tennessee (Mr. ROE), who has been a tireless champion for seniors in Tennessee and, since day one, has been working on this legislation to repeal the IPAB.

Mr. ROE of Tennessee. Mr. Speaker, I rise in support of my bill, H.R. 849, the

Protecting Seniors' Access to Medicare Act of 2017, a bipartisan bill with 270 cosponsors, that repeals two sections of the Affordable Care Act and terminates the Independent Payment Advisory Board—or the IPAB—once and for all. I thank Chairman BRADY and Chairman WALDEN for bringing this important bill to the floor.

I also want to start by thanking my lead Democrat cosponsor from California, Dr. RAUL RUIZ. Dr. RUIZ and his staff have worked tirelessly with my staff to get more cosponsors this Congress than we have ever had before, including 45 Democrats. Seeing such strong bipartisan support for my bill only makes sense, however, since doing away with the IPAB has been a bipartisan idea since it was first proposed.

In December of 2009, I joined Congressman RICHARD NEAL and 72 other bipartisan Members in writing then-Speaker PELOSI expressing our opposition to the IPAB's creation. On the day the ACA passed the House, I filed legislation to repeal the IPAB, and have received bipartisan support in every Congress since. This is about access for seniors' care and quality of their care. By the way, the IPAB was not in the House version of the Affordable Care Act. Only the Senate sent that back over here. So it was not part of the House to begin with.

We got lucky this summer that the Medicare trustees' report did not trigger the IPAB. Otherwise, there would have been significant statutory requirements to cut Medicare within a year. These cuts would have been made to provide reimbursements, which would do nothing but drive providers out of Medicare and would eliminate options for our seniors to receive healthcare.

Peter Orszag, President Obama's Office of Management and Budget Director, said this was the greatest ceding of power from the Congress to a bureaucracy since the formation of the Federal Reserve. Remember, it has been stated here, Mr. Speaker, that the board hasn't been formed. That means one person makes these decisions, not the Congress. Medicare recipients can't come to their elected official and effect changes in this IPAB if it is enacted, and it will be.

One of the major concerns we hear today is that the CBO has estimated that this bill will cost over $17 billion that is not paid for. First of all, the CBO describes its estimates as ''extremely uncertain'' because it is quite possible that under current law, the IPAB will not be triggered.

Secondly, this is the same dilemma we were in with the sustainable growth rate—SGR. Medicare says to doctors: You go out and provide the care, but if you provide too much, we will cut your payments.

As a physician myself, having seen how much havoc the SGR wreaked every year, we can't afford to put providers through this again. We spent months and years getting that corrected. Knowing that many Members were concerned about the offsets in previous years, we have a bill on the floor today that all of our cosponsors can support.

I look forward to seeing all 270 of my cosponsors voting in favor of passage in order to preserve Medicare for our Nation's seniors. We have a chance to send a strong statement of support to Americans of Medicare age that do not want to see their healthcare arbitrarily cut by a body of 15 unelected, unaccountable bureaucrats, or the Secretary of HHS, if the board is not empaneled. If there are hard decisions to be made on Medicare, Congress should not abdicate that duty to a group of people with no oversight or legal recourse. Those decisions should be made by the people elected as representatives of the people.

Mr. Speaker, I urge my colleagues to support final passage of this bill and maintain Medicare services for our Nation's seniors, because this is truly a bipartisan issue that will affect all seniors equally.

Mr. LEVIN. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank my friend for yielding me this time.

Mr. Speaker, I rise today in opposition of the repeal of the Independent Payment Advisory Board.

This is another classic example of a solution in search of a problem. Of all the things that we should be working on in Congress in a bipartisan fashion to improve and to fix the problems that exist within our healthcare system, we have legislation on the floor before us today that calls for the repeal of a nonexisting commission, based on nonconsistent spending cuts being proposed for Medicare, based on a nonconsistent cost of rate of increase in spending under the Medicare program, all of which is going to add $17.5 billion to the deficit over the next 10 years because this bill isn't paid for. And the irony is they are coming forward with this legislation, which will add another $18 billion to the debt, on the same day they release a tax bill that calls for an additional $1.5 trillion worth of deficit spending because the tax bill hasn't been offset. At some point and at some time, we have got to take a bipartisan stand on fiscal responsibility in this place again because it is not happening today.

Instead, we should be working on short-term, practical solutions to stabilize and bring more certainty to the health insurance marketplace, in light of what the administration is doing to completely undermine the marketplaces today. We ought to be working on delivery system reform proposals that will emphasize the establishment of accountable care organizations and medical homes and value-based purchasing and bundling arrangements and different alternative payment models to get us to a system of value, quality, and outcomes, and away from the fee-for-service payment for the volume of services, regardless of results.

Let's be honest, the real cost driver in our Federal budget—and it is true at the State and local level—has been healthcare costs because we have an aging population. That is the work that we should be working on together, is the delivery system reform and the payment reform, so we are aligning the incentives in the right direction where we are telling our healthcare providers: You will be compensated based on good results, not on how much you do.

There is a lot within the Affordable Care Act giving our providers the very tools in order to accomplish that, and we ought to be enhancing that here today. Instead, we are wasting time on a commission that, according to the CMS's own actuary, says, at the very earliest, it might be comprised in 2021. But, even then, it warrants us, with the mission that we have given it, that: Hey, you have got healthcare spending within the healthcare system that, Congress, you need to deal with. And then come back with recommendations. And then it is up to us to make corrective action at that time.

So all this talk about unelected bureaucrats making these decisions belies what the legislation actually calls for in the establishment of the IPAB. This was, however, another important cost containment tool that was put into the Affordable Care Act to try to restrain the growth of healthcare spending. We need more of those type of ideas, rather than efforts today to remove those tools and then possibly see just unbridled healthcare spending in the future.

What is really disturbing is I know there is a lot of common ground in this area, yet the American people wouldn't know it, with this political ping-pong ball on healthcare reform going back and forth and the chaos and the confusion that it is causing, and that is unfortunate.

So, instead, today, we ought to first take steps to stabilize the insurance exchanges, rather than an administration that is doing everything they can to limit the enrollment during the signup period, which actually started yesterday and lasts until December 15. They have cut by 90 percent funding for marketing of the exchanges. They have cut by almost 50 percent the funding for our navigators back home who are trying to help people get affordable healthcare coverage in their lives. They ended the cost-share payments, which only increases the cost for healthcare for everyone else because of the risk that the insurance plans now face.

The other segment of the population that we should be focused on in helping is that 5 or 6 percent of the population that are in the individual market who don't qualify for premium tax credits because they are getting hammered today. You would think that would be another area of bipartisan commonality that we can come together on

to provide relief for those individuals who are in the individual market experiencing these higher premiums, part of it being done because of the elimination of the cost-sharing reduction payments, but, instead, nothing is being done on that front.

My friend from Michigan also pointed out that we should be having hearings about the cost of prescription drugs in committee. That is one of the main cost drivers within the healthcare system, yet there is deafening silence in the Halls of Congress when it comes to taking measure on that front, even though President Trump promised during the course of his campaign and even earlier this year to try to take some action in a bipartisan way to address drug costs.

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

Mr. LEVIN. Mr. Speaker, I yield an additional 1 minute to the gentleman from Wisconsin.

Mr. KIND. It was an initiative that the President was even interested in trying to address. Yet, again, nothing is being done.

So this legislation is much ado about nothing because there is nothing pending. In fact, nothing would be pending, according to the CMS actuary, until, at the earliest, 2021. Instead, we are wasting time and opportunity to address the real problems and finding the real fixes that are needed in the healthcare system. There I am confident there is a lot of bipartisan overlap, having worked with many of my colleagues on the committee and across the aisle, on many of these measures that I just mentioned here today.

So I encourage my colleagues to vote ''no'' and allow this to go forward, because it does keep an eye on rising costs and it keeps the pressure where it belongs—right here in Congress—to take future action if the rate of growth starts spinning out of control.

Mr. PAULSEN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS), who has been a tireless advocate working on Medicare issues as well.

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 849, the Protecting Seniors' Access to Medicare Act.

The Independent Payment Advisory Board, known as the IPAB, was created under the ACA, and consists of a panel of 15 unelected, unaccountable government bureaucrats with the authority to single-handedly cut Medicare spending. By doing this, the IPAB reveals the truth that government, rather than the patient, is at the center of our Nation's healthcare policy.

In repealing the IPAB, we begin to help get rid of the notion of the mentality that Washington knows best when it comes to our healthcare. It is imperative that we act now before nominees are put forward to serve on the board and access to care is greatly decreased or denied.

My constituents in western Pennsylvania rely on these funds for their healthcare needs. I am proud to see Congress working together in a bipartisan manner on this commonsense legislation that will keep patients and doctors in control of healthcare decisions and preserve Medicare for current and future seniors.

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

Mr. PAULSEN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. MESSER), a member of our leadership team.

Mr. MESSER. Mr. Speaker, I thank the gentleman from Minnesota for his hard work on this topic.

Mr. Speaker, Hoosiers continue to suffer under the negative impacts of ObamaCare each and every day. Despite the House keeping its promise to repeal this disastrous law, the Senate has failed to act.

But, fortunately, we have an opportunity today to make a difference, to protect our seniors, and to get rid of one of ObamaCare's worst provisions: the Independent Payment Advisory Board, better known as the IPAB.

This board consists of 15 unelected and unaccountable bureaucrats who have the power to ration healthcare for our seniors without any congressional oversight. For an individual patient, this board has the power to make your healthcare decisions for you, and that is not fair.

This bill will change that. It disbands the board and ensures our seniors continue to have access to their healthcare that they need.

Mr. Speaker, I urge my colleagues to roll back this dangerous ObamaCare provision and to support this commonsense legislation.

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

Mr. PAULSEN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN), who is an original cosponsor of this legislation.

Mr. ALLEN. Mr. Speaker, I rise today to urge my colleagues to support the Protecting Seniors' Access to Medicare Act.

How many of you know what the Independent Payment Advisory Board is—also known as the IPAB?

How many of you know who serves on the board?

I would venture to say that not many people know the 15 unelected, unaccountable bureaucrats who have unilateral authority to cut Medicare spending.

When the Democrats passed ObamaCare, they created the Independent Payment Advisory Board, providing them with unprecedented power to alter Medicare policy, ultimately, having the chance to reduce seniors' access to healthcare and put the government at the center of our healthcare system with zero accountability or transparency.

□ 1615

My constituents deserve better and Americans across this Nation deserve better.

A vote for this legislation is a vote to give seniors more control over their healthcare decisions. I urge my colleagues to support Dr. ROE's bill.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time, unless Mr. PAULSEN is ready to close.

Mr. PAULSEN. Mr. Speaker, I have no more speakers.

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

Mr. Speaker, I want to say this to my colleagues, whom I very much respect, who signed on to this bill, many of them early on this year. There have been three changes of circumstance:

First, right then, it appeared that IPAB might come into existence in 2017. Now the actuary has made clear that will not happen under these circumstances until 2021.

Secondly, since the bill was introduced, circumstances have changed. The administration has taken steps to undercut healthcare for Americans. So because of cost-sharing and other issues, premiums have been rising. That is a second change of circumstance why this is the wrong bill at the wrong time.

Third, the last time it came up, it was paid for. In the Committee on Ways and Means, when we raised this issue, we were told, as always: Well, we don't have to pay for it in the committee, but it can be paid for on the floor.

This is totally unpaid for, zero, no effort to pay for it, and it would add $17.5 billion to the national debt. Already, it is at its record level with, now, the threat of $1.5 trillion more.

So I really urge, no matter what were the circumstances when you signed on, in almost every case they have changed, and so there is such good reason why this is the wrong bill at the wrong time, and I think to vote for this is really the wrong vote.

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

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

Mr. Speaker, my colleagues on the other side of the aisle have supported this bill in the Ways and Means Committee in regular order last month and in a prior vote, I will add, back in 2015.

Rather than take control away from the American people and from our seniors, we should be expanding choice, expanding access, and expanding flexibility and competition in Medicare, and we can start that right now, today, by passing this legislation to terminate the IPAB once and for all.

Now, my colleagues on the other side of the aisle have also called on us to work with them to find common ground, to work with them to fix those flaws in the Affordable Care Act. Well, today, with this vote, we have the opportunity to do just that, to join together to eliminate this unnecessary

and potentially destructive provision—certainly, it is a major flaw in the law—and pass this bipartisan legislation.

Repealing IPAB is crucial to maintaining and expanding access to high-quality care for our Nation's seniors and ensuring that Medicare payment policy is not dictated to us and our constituents by a board of unelected and unaccountable bureaucrats.

Mr. Speaker, I want to thank Dr. ROE and I want to thank Dr. RUIZ on the other side of the aisle for their leadership on this bill, along with the Energy and Commerce and Ways and Means Committee members.

Mr. Speaker, I strongly urge my colleagues to support the passage of H.R. 849, and I yield back the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of H.R. 849, the Protecting Seniors' Access to Medicare Act of 2017.

The Independent Payment Advisory Board, or IPAB, was created in the Affordable Care Act to reduce per capita rate of growth in Medicare spending. If a spending target is exceeded, cuts must be made, and the HHS Secretary is directed to implement the proposals made by this 15-person board automatically unless Congress affirmatively acts to alter the proposals or to discontinue automatic implementation of the proposals. This board has not yet been formed, but the statute requires the HHS Secretary to come up with the required reductions instead.

Medicare is crucial for our Nation's seniors to see their doctors, and the program's viability must be protected. There is no question that Medicare must be modernized in order to continue for future generations, but IPAB is not the right approach, and a bipartisan group of my colleagues agree that IPAB is not the answer to fixing Medicare's shortfalls.

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

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

Mr. RUIZ. Mr. Speaker, today I rise in strong support of my bill, the bipartisan Protecting Seniors' Access to Medicare Act of 2017.

I was proud to introduce this commonsense, bipartisan bill with my friend on the other side of the aisle, Congressman Dr. PHIL ROE.

Mr. Speaker, I thank Dr. ROE and his staff for their many years of hard work and advocacy on this issue. I am pleased that our offices were able to work closely on this bill, building a strong, bipartisan working relationship.

H.R. 849 eliminates the well-intentioned but misguided Independent Payment Advisory Board, or IPAB, that was created under the Affordable Care Act.

Everyone can agree that we need to address the high cost of healthcare and strengthen the solvency of Medicare. However, the IPAB approach is misguided, because it establishes an appointed and unelected panel that would have the authority to make cuts to Medicare, with no accountability to seniors.

Our constituents must be able to hold elected officials accountable for decisions made regarding changes to Medicare regardless of who is in power.

What is more, if the board failed to act, the Health and Human Services Secretary, whether Democrat or Republican, would be able to singlehandedly make cuts to Medicare.

Fortunately, the targeted Medicare growth rate to trigger IPAB has never been reached and the board has not yet been appointed. However, we must act now to ensure that it never happens.

Again, we can all agree that we must address the high cost of care and strengthen the solvency of Medicare, but we should do this by addressing the overall long-term cost of care.

I am pleased we are taking action in the House now, and I hope the Senate can consider this bill quickly. I encourage my colleagues to join me in passing this commonsense, bipartisan improvement to the Affordable Care Act and work together to protect and strengthen Medicare for our Nation's seniors.

Mr. Speaker, I urge my colleagues to vote ''yes.''

Mr. GUTHRIE. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN), the chairman of the Energy and Commerce Committee and my good friend.

Mr. WALDEN. Mr. Speaker, I want to thank Mr. GUTHRIE from Kentucky. He has done a terrific job on the Energy and Commerce Committee on many fronts related to improving healthcare, especially for seniors and low-income Americans, among others.

Mr. Speaker, today I rise in strong support of H.R. 849. This is the Protecting Seniors' Access to Medicare Act of 2017. This will repeal the Independent Payment Advisory Board, IPAB.

The purpose of IPAB is to reduce Medicare's per capita growth rate. While, certainly, that is important work, this is not the solution.

The IPAB, created by the Affordable Care Act, would be composed of 15 unelected bureaucrats authorized to unilaterally make decisions regarding Medicare's finances, whether that be through draconian cuts to provider payments or by imposing policy changes that would reduce Medicare spending if the program exceeds an arbitrary growth rate target.

In other words, they can do just about anything they want to cut Medicare, and we don't have much of a say in it. These changes would automatically go into effect, and the Secretary of Health and Human Services would be forced to implement these reductions should IPAB be triggered, unless Congress passed legislation that would achieve the same amount of savings.

It is also worth noting that current law does not require a public comment period before IPAB issues their recommendations, so there would be no chance for the public to weigh in. And individuals and providers would have no recourse against the board—can you imagine that?—as its decisions are not subject to appeal or judicial review. This is hardly a model of transparency and accountability.

While IPAB hasn't been constituted yet, the threat of this provision of law remains. So I cannot support IPAB. I never have, because its potential cuts to providers, our doctors and hospitals and others and healthcare facilities would increase out-of-pocket costs for seniors and potentially limit the availability of medical services, restricting seniors' access to care, particularly in our rural areas.

Congress can and should act now to prevent IPAB and prevent the unelected bureaucrats from ever being at the helm of our country's Medicare Program.

I know the importance of this program. It took very good care of my parents, my wife's parents, and others I know. We should reject the premise of surrendering our oversight and our responsibility to preserve and protect the Medicare Program to a board with the power to make binding decisions about Medicare policy, with little accountability.

We know how to make sure seniors have an affordable, sound, reliable healthcare system. We have to create competition at every turn in the healthcare system and look for models that work, like Medicare part D.

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

Mr. Speaker, I rise in opposition to H.R. 849, the IPAB repeal.

Mr. Speaker, Republicans have spent the last 9 months trying to repeal the Affordable Care Act and they have failed, but instead of working with Democrats to improve the ACA, they will stop at nothing to repeal the law piece by piece.

The Republicans' partisan bill to reauthorize CHIP, community health centers, and other public health extenders is paid for on the back of Medicaid recipients, Medicare, low- and middle-income families with the Affordable Care Act health coverage, and the Prevention Fund, but yet they will not bother to pay for the $17.5 billion it will cost to repeal IPAB.

IPAB was enacted as a backstop to the other cost-saving and quality-improvement efforts in the ACA, such as accountable care organizations, patient-centered care models like Medical Homes, programs that pay for quality, not quantity and value-based purchasing.

Because of the Affordable Care Act and these programs, Medicare spending growth has slowed and Medicare solvency has been extended.

According to the CMS actuary, IPAB will not be triggered until 2021, so the

timing of today's repeal is premature and politically motivated.

IPAB repeal would increase the deficit by $17.5 billion. This is fiscally irresponsible of Republicans, especially as they prepare to announce a tax package that will saddle our country with $1.5 trillion of debt in order to give tax cuts to the wealthy and corporations.

IPAB repeal is not about helping seniors. Don't let the Republicans kid you. Contrary to what the Republicans say, IPAB is prohibited from sending recommendations to Congress that would harm seniors by increasing their out-of-pocket costs or cutting their benefits. In fact, it is the Republican ACA repeal efforts that would cut nearly a trillion dollars from Medicaid and Medicare, harming seniors and other vulnerable Americans, which would have truly led to the rationing of healthcare.

So for all these reasons, I urge my colleagues to vote ''no'' on H.R. 849, the IPAB repeal.

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

Mr. GUTHRIE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), a member of the Energy and Commerce Committee.

Mr. BILIRAKIS. Mr. Speaker, I thank and appreciate my friend from Kentucky. He does a great job on the Energy and Commerce Committee and as vice chairman on the Health Subcommittee.

Mr. Speaker, I rise in support of the Protecting Seniors' Access to Medicare Act. I am a proud cosponsor of this bill, and I am glad we are passing this much-needed bill.

The Affordable Care Act created the Independent Payment Advisory Board. This board of unelected and unaccountable bureaucrats was charged with the single goal of cutting Medicare payments to physicians and hospitals. We can't let that happen.

This poorly conceived scheme could force physicians to exit the Medicare Program or limit their Medicare patients. We can't let that happen.

This would create an access-to-care problem for the 170,000 Medicare beneficiaries in my district. When I am back in the district talking to seniors, senior advocates, local physicians, hospitals, practically everyone has raised concerns with this board.

This is a commonsense repeal bill. They say that it hasn't been implemented yet, it hasn't been set up yet. Okay. Well, let's get rid of it. Most people don't want it.

Mr. Speaker, again, we need to pass this particular bill. We need to abolish this bad idea.

□ 1630

Mr. PALLONE. Mr. Speaker, I yield 4 minutes to the gentleman from Vermont (Mr. WELCH), a member of our committee.

Mr. WELCH. Mr. Speaker, the issue here about Medicare is one where there is universal support in this body for that program that was passed in 1965 by a bipartisan vote. It is a lifeline for many of our seniors—for all of our seniors. It is a program where, since everybody pays, everybody benefits. It gives all of us confidence that our parents or ourselves will have access to good healthcare.

We have a challenge. The cost of healthcare in this country is far too expensive, and it is for a variety of reasons that our country spends twice as much on healthcare as most industrialized countries in the rest of the world and we don't get better results for that.

The challenge for us, if we want to save healthcare, particularly Medicare, is to start focusing on reforms that bring the cost of healthcare down and don't compromise quality.

The Affordable Care Act extended access to healthcare for millions of Americans, but it also included some steps that began bending the cost curve. The rate of growth in the Medicare spending has started to come down under the Affordable Care Act. It was patient-centered programs, it was accountable care organizations, it was value-based payment systems. These things where, for the first time, Congress talked not just about extending access, but trying to reform payment systems so that we could get the benefit of a more efficient system.

The IPAB is simply one of the potential tools that would be used in order to present to Congress recommendations. Unlike what Mr. WALDEN said, it would be the final say of Congress whether we wanted to approve or not any recommendation by the IPAB.

Here is the difference in how we are approaching healthcare. Many in this body on the Republican side have focused on the cost of healthcare, its contribution to the debt. The policy proposal in the form of repealing the Affordable Care Act, its way of reducing the cost of healthcare was to take healthcare away from 24 million Americans. That is what that bill did.

That is one way to control the cost of healthcare, have people go without. It is the wrong way. We all know that. We have got to bite the bullet here and start addressing the fact that we spend too much. Some of it is wasteful procedures, some of it is gaming the system, some of it is these incredible maneuvers by drug companies.

I am just going to give one example because I want to give this example as an indication of how right before our eyes bad things are happening that we are allowing to occur.

HUMIRA, a very good drug by AbbVie. Their patent was expiring. That patent is legislatively provided to give them exclusive marketing and selling rights. They have a monopoly price. It is incredibly expensive, like $70,000 for a supply.

Amgen had a biosimilar that was going to be marketed, and then you would have the benefit of competition. The price would go down.

AbbVie and Amgen made a deal. We don't know how much AbbVie paid to Amgen, but suddenly Amgen is not going to bring its generic, in effect, to market until 2023, but—and this is part of their agreement—they are going to sell their biosimilar product in Europe now.

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

Mr. PALLONE. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Vermont.

Mr. WELCH. Mr. Speaker, Europe is going to get the benefit of that lower price and the United States is not.

My question to my colleagues—it is not just about the IPAB. It is about let's get real. Let's get real on drug prices. Let's get real on the fee-for-service as opposed to value-based system. Let's get real on cracking down on Medicare fraud. Let's get real on focusing on the cost side, where all of us acknowledge bad things are happening. This fear of these ''unelected bureaucrats,'' where it is 15 people who, at the end of the day, whatever recommendation they want to make to us, force us to make a hard decision as to whether it is a good recommendation or a bad recommendation.

We are in charge. This is going to be rammed down our throat, but what it does force us to do is start looking where the money is; rip-off drug prices, excessive procedures that actually create medical risk.

Mr. Speaker, we do have a challenge of healthcare cost in this country, but the focus has to be on improving the delivery system and taking the rip-off pricing out of the system.

Mr. GUTHRIE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. COSTELLO), a member of the Energy and Commerce Committee.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise in strong support of H.R. 849, the Protecting Seniors' Access to Medicare Act.

Mr. Speaker, this bipartisan legislation would bring an end to the Independent Payment Advisory Board, also known as the IPAB. Since its creation as part of the ACA, the IPAB has threatened to put an unelected panel of 15 Washington bureaucrats at the center of the healthcare delivery model.

Not only would the IPAB shift healthcare decisionmaking away from patients and physicians, it would also empower this panel with the unilateral ability to make arbitrary cuts to Medicare without proper oversight and with zero accountability to the very seniors and beneficiaries whose healthcare access they would affect.

Mr. Speaker, it is time to end this unrealistic, unreasonable, and unpopular one-size-fits-all approach to healthcare delivery. It was the wrong approach from the start, and today's vote will help bring an end to this dangerous power grab once and for all.

Mr. Speaker, I want to thank all those involved, and I encourage my colleagues to support this important bipartisan effort.

Mr. PALLONE. Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore. The gentleman from New Jersey has 5½ minutes remaining, and the gentleman from Kentucky has 8½ minutes remaining.

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

Mr. Speaker, I can't help but put what is happening today in terms of the Republicans putting up this bill on the IPAB and what is happening tomorrow with the Republicans putting up a CHIP and community health centers bill but point out that collectively what they are trying to do is what they were not able to do in the first 9 months of this session when they sought very hard and pushed very hard to repeal the Affordable Care Act.

What is going on here today and tomorrow with the IPAB and community health centers and CHIP is essentially an effort to repeal the Affordable Care Act piece by piece, in my opinion.

What do we do?

We see the IPAB, which is part of the Affordable Care Act. We see the payfors for community health centers and the CHIP tomorrow, taking away money from the Prevention Fund from the Affordable Care Act, limiting the grace period when people will lose their insurance that they have under the Affordable Care Act.

This goes along also with what is happening with the President as well. The President has, in the last month or so, said that he is not going to pay the cost-sharing subsidies. He has cut back on the outreach so that people don't know what is in the Affordable Care Act. He has cut back on the period when people can sign up and get their insurance in half.

What we are seeing, in my opinion, is the Republicans sabotaging the Affordable Care Act. They couldn't repeal it, so now they are doing whatever they can to sabotage it. It is really ironic or inconsistent, however you want to put it. On the one hand they are insisting that when it comes to kids and community health centers, which is a group of people you would think they would be most concerned about, they insist on paying for it by taking money from other healthcare programs. We are asked to take money from the Prevention Fund, which pays for vaccines for children, which pays for the children's lead poisoning program, which is a major part of our opiate prevention program. This is the money that comes from the Prevention Fund. Basically, they are taking that money and using it to pay for the community health centers and the Children's Health Initiative, which means that that money is lost. That money is lost for those other purposes.

With regard to the grace period, they are saying, well, if you fail to pay your insurance, it used to be 90 days before you lost it. Now it would be 30 days before you lost it, which means that you end up with about 500,000 or 600,000 people who have insurance now under the Affordable Care Act that would lose it, according to the CBO.

Yet, at the same time, with the IPAB repeal, which we are considering now, which costs $17.5 billion, and which, as my colleague from Vermont said, is a mechanism to try to save costs, they are saying: Well, we don't have to pay for that. We can just repeal it. We will forego those additional costs, which become part of the deficit.

Mr. Speaker, for all these reasons, the bottom line is, what the Republicans are doing is not fair. It is not fair to the kids. It is not fair to the people who are going to lose their health insurance.

I will say as the last thing that this is going nowhere. One of the reasons why Democrats have been urging the Republicans with regard to the CHIP and community health centers to work with us on a bipartisan basis is because we know if this bill passes today on a partisan vote, because we can't support it for the reasons I explained, then that means that it is going to go to the Senate and it is going to die because there is no reason to believe that the Senate is going to take up this partisan bill.

I think it is just a huge mistake on the part of Republicans. Basically, what they are signaling today is that they don't really care about this. They wanted to stick around until the end of year, which means the community health centers and CHIP just basically wither on the vine for lack of funds. That is not fair. It is not fair to the kids. It is not fair to those who use community health centers.

Mr. Speaker, for all these reasons, I would urge a ''no'' vote on the bill today, the IPAB repeal; and I will also ask for a ''no'' vote tomorrow on the CHIP and the community health centers legislation.

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

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

Mr. Speaker, one, this IPAB effort is bipartisan. We have even heard on the floor both sides of the aisle support passage of the bill. It has been bipartisan.

First, a couple of things. On the value-based payments—which I think is the direction we need to go to rein in the costs and make sure we have sustainable programs, but the IPAB's annual short-term focus savings provision would affect Medicare and the wider health system in unpredictable ways with potentially many negative unintended consequences by doubling down on the traditional practice of squeezing payment rates in order to slow spending with no meaningful eye to how these changes impact long-term incentives—the IPAB could work at cross purposes to broaden reform that would base Medicare payments on quality and value.

On the offset, we did offset CHIP and the community health centers. We know that money is going to be spent. We know that when we authorize it, it is going to be spent. We believe it is going to be spent wisely. That is why we are moving forward with these bills.

The IPAB has not been constituted, and repealing it should not have to be offset since it has not spent any money nor been charged yet with finding any savings. The IPAB trigger has never been hit. The CBO estimates that the IPAB would be triggered in 2023, 2025, and 2027. But by their own admission, and I quote from the report, ''Given the uncertainty that surrounds these projections, it is possible such authority would be invoked in other years,'' or we could also assume possibly never at all.

The CBO estimate also has to assume the level of cuts required by the amount Medicare is spending that exceeds the trigger. The CBO also then has to speculate on how reductions made in any one year would impact the trigger in future years, further laying assumption upon guesswork. As the CBO notes in their estimate, the estimate represents a broad range of possible effects.

The CBO admits they do not know if the IPAB will be triggered or what policies they might pursue if activated. Some of their assumptions are one-sided bets that may or may not achieve savings, and the CBO must further speculate on the probabilities associated with such variations.

Mr. Speaker, in closing, I believe the IPAB will not be effective providing real solutions for Medicare solvency. It contributes disproportionately little to the projected cost savings needed in Medicare, but it has the potential to hurt seniors' access to care. Fundamentally, I believe it is a constitutional affront to the legislative branch.

□ 1645

The IPAB decisions don't come to Congress to be approved or disapproved. We can undo the IPAB decisions if we have dollar-for-dollar replacement, but that could even be blocked by a minority vote in the Senate.

So I urge my colleagues to support H.R. 849, to repeal the Independent Payment Advisory Board, and I hope there will continue to be bipartisan support for this important legislation.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to H.R. 849, the so-called "Protecting Seniors' Access to Medicare Act of 2017," which repeals the Independent Payment Advisory Board (IPAB), that was established under the ACA in response to high rates of growth in Medicare expenditures and charged with developing proposals to "reduce the per capita rate of growth in Medicare spending."

I opposed this bill when it came to the floor as H.R. 1190 in the 114th Congress and I oppose it now because by repealing IPAB, the bill would eliminate an important safeguard that will help reduce the rate of Medicare cost growth responsibly while protecting Medicare beneficiaries.

Mr. Speaker, H.R. 849 is nothing but another attempt, in a long line of House Republican efforts to undermine both the Medicare guarantee and the Affordable Care Act.

Repealing IPAB would cost over $17.5 billion during the course of a ten year period according to the Congressional Budget Office (CBO).

Mr. Speaker, Republicans do not even make an attempt to find an offset for this $17.5 billion increase to the deficit resulting from repeal of the IPAB, while at the same time they plan to bring to the floor a partisan bill to reauthorize CHIP, Community Health Centers, and other public health extenders by cutting Medicare and slashing funding for programs relied upon by Medicaid recipients, low and middle income families with Affordable Care Act health coverage.

After more than seven years under the Affordable Care Act, more than 20 million Americans have gained health coverage; up to 129 million people who could have otherwise been denied or who faced discrimination now have access to coverage.

Mr. Speaker, given the real challenges facing our nation, it is irresponsible for the Republican majority to continue bringing to the floor unpaid for bills that would do serious harm to millions of Americans if they were to be enacted.

House Republicans have tried more than 65 times to undermine the Affordable Care Act, which has enabled more than 20 million previously uninsured Americans to know the peace of mind that comes from having access to affordable, accessible, high quality health care.

Their batting average to date is .000; they have struck out every time because the American people appreciate and strongly support the Affordable Care Act.

Mr. Speaker, I ask my colleagues to look at the facts and abandon this misguided effort to undermine the ACA and impose significant negative impacts on Americans currently insured.

The Independent Payment Advisory Board is to recommend to Congress policies that reduce the rate of Medicare growth and help Medicare provide better care at lower costs.

IPAB membership by law is to be made up of 15 members appointed by the President and confirmed by the Senate and been comprised of the non-partisan CBO, economists, and health policy experts as contributing to Medicare's long-term sustainability.

Mr. Speaker, the IPAB is already prohibited from recommending changes to Medicare that ration health care, restrict benefits, modify eligibility, increase cost sharing, or raise premiums or revenues.

Under current law, the Congress retains the authority to modify, reject, or enhance IPAB recommendations to strengthen Medicare, and IPAB recommendations would take effect only if the Congress does not act to slow Medicare cost growth.

Finally, Mr. Speaker, let me point out to our friends across the aisle that according to the CMS actuary, IPAB will not be triggered until 2021, so the timing of today's repeal is premature and politically motivated.

IPAB was enacted as a backstop to the other cost saving and quality improvement efforts in ACA, such as accountable care organizations, patient-centered care models like medical homes, programs that pay for quality not quantity, and value based purchasing.

Because of the ACA and these programs, Medicare spending growth has slowed and Medicare's solvency has been extended.

Increasing the deficit by $17.5 billion as a result of repealing the IPAB would is fiscally irresponsible, especially now that Republicans have introduced a tax package that will saddle our country with $1.5 trillion of debt in order to give tax cuts to the wealthy and corporations.

Mr. Speaker, despite the Supreme Court's upholding of the law's constitutionality, the reelection of President Obama, and Speaker Ryan's admission that "Obamacare is the law of the land," Republicans refuse to stop wasting time and taxpayer money in their effort to take away the patient protections and benefits of the Affordable Care Act.

Mr. Speaker, I call upon House Republican leaders to stop wasting our time trying to take away healthcare protections that Americans depend on and to start addressing pressing national priorities.

And they should start with working with Democrats on a bipartisan and responsible plan to reauthorize the Children's Health Insurance Program ("SCHIP") which insures more than 9 million kids and fully funding the relief efforts needed to help American communities recover from the devastating effects of Hurricanes Harvey, Irma, and Maria.

I urge my colleagues to join me in voting against H.R. 849.

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

Pursuant to House Resolution 600, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 307, nays 111, not voting 14, as follows:

[Roll No. 604]

YEAS—307

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Beatty
Bera
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blunt Rochester
Bost
Boyle, Brendan F.
Brady (TX)
Brat
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carter (GA)
Carter (TX)
Castro (TX)
Chabot
Cheney
Clarke (NY)
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Correa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Demings
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Estes (KS)
Esty (CT)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gaetz
Gallagher
Gallego
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Keating
Kelly (MS)
Kelly (PA)
Kihuen
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larson (CT)
Latta
Lawrence
Lewis (MN)
Lieu, Ted
LoBiondo
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham, M.
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Newhouse
Noem
Nolan
Norcross
Norman
O'Halleran
O'Rourke
Olson
Palazzo
Palmer
Panetta
Pascrell
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Sánchez
Sanford
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Shimkus
Shuster
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozzi
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Torres
Trott
Turner
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—111

Adams
Bass
Beyer
Blumenauer
Bonamici
Brady (PA)
Brown (MD)
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Crowley
Cummings
Davis, Danny
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Eshoo
Espaillat
Evans
Foster
Fudge
Garamendi
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Kaptur
Kelly (IL)
Kennedy
Khanna
Kildee
Kind
Langevin
Larsen (WA)
Lawson (FL)
Lee
Levin
Lewis (GA)

Lipinski	Pelosi	Slaughter
Loebsack	Perlmutter	Smith (WA)
Lowenthal	Pingree	Swalwell (CA)
Lowey	Polis	Takano
Luján, Ben Ray	Price (NC)	Thompson (CA)
Maloney, Carolyn B.	Quigley	Thompson (MS)
Matsui	Raskin	Titus
McCollum	Rice (NY)	Tonko
McEachin	Roybal-Allard	Tsongas
McGovern	Ryan (OH)	Velázquez
Moore	Sarbanes	Visclosky
Nadler	Schakowsky	Walz
Napolitano	Schiff	Wasserman Schultz
Neal	Schrader	Waters, Maxine
Pallone	Scott (VA)	Welch
Payne	Serrano	Yarmuth
	Sherman	

NOT VOTING—14

Black	Peters	Sinema
Bridenstine	Pocan	Speier
Brooks (AL)	Scalise	Upton
Johnson, E. B.	Scott, David	Wilson (FL)
Nunes	Simpson	

□ 1711

Messrs. BEN RAY LUJÁN of New Mexico, DANNY K. DAVIS of Illinois, SCOTT of Virginia, and Ms. KAPTUR changed their vote from ''yea'' to ''nay.''

Mr. HIGGINS of New York, Ms. GABBARD, Messrs. DENHAM, and MCNERNEY changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SINEMA. Mr. Speaker, due to a technical glitch, my vote was not recorded. Had I been present, I would have voted "yea" on rollcall No. 604.

Mr. PETERS. Mr. Speaker, my vote was not recorded on rollcall No. 604 on H.R. 849—The Protecting Seniors' Access to Medicare Act due to my attendance at the Vatican's Health of People, Health of Planet and Our Responsibility: Climate Change, Air Pollution and Health. I intended to vote "aye".

Mr. NUNES. Mr. Speaker, on the legislative day of Thursday, November 2, 2017, I was unavoidably detained and was unable to cast a vote on a rollcall vote. Had I been present, I would have voted "yes" on rollcall No. 604.

Stated against:

Ms. WILSON of Florida. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 604.

PROTECTING PATIENT ACCESS TO EMERGENCY MEDICATIONS ACT OF 2017

Mr. HUDSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 304) to amend the Controlled Substances Act with regard to the provision of emergency medical services, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HULTGREN). The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting Patient Access to Emergency Medications Act of 2017''.

SEC. 2. EMERGENCY MEDICAL SERVICES.

Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following:

''(j) EMERGENCY MEDICAL SERVICES THAT ADMINISTER CONTROLLED SUBSTANCES.—

''(1) REGISTRATION.—For the purpose of enabling emergency medical services professionals to administer controlled substances in schedule II, III, IV, or V to ultimate users receiving emergency medical services in accordance with the requirements of this subsection, the Attorney General—

''(A) shall register an emergency medical services agency if the agency submits an application demonstrating it is authorized to conduct such activity under the laws of each State in which the agency practices; and

''(B) may deny an application for such registration if the Attorney General determines that the issuance of such registration would be inconsistent with the requirements of this subsection or the public interest based on the factors listed in subsection (f).

''(2) OPTION FOR SINGLE REGISTRATION.—In registering an emergency medical services agency pursuant to paragraph (1), the Attorney General shall allow such agency the option of a single registration in each State where the agency administers controlled substances in lieu of requiring a separate registration for each location of the emergency medical services agency.

''(3) HOSPITAL-BASED AGENCY.—If a hospital-based emergency medical services agency is registered under subsection (f), the agency may use the registration of the hospital to administer controlled substances in accordance with this subsection without being registered under this subsection.

''(4) ADMINISTRATION OUTSIDE PHYSICAL PRESENCE OF MEDICAL DIRECTOR OR AUTHORIZING MEDICAL PROFESSIONAL.—Emergency medical services professionals of a registered emergency medical services agency may administer controlled substances in schedule II, III, IV, or V outside the physical presence of a medical director or authorizing medical professional in the course of providing emergency medical services if the administration is—

''(A) authorized by the law of the State in which it occurs; and

''(B) pursuant to—

''(i) a standing order that is issued and adopted by one or more medical directors of the agency, including any such order that may be developed by a specific State authority; or

''(ii) a verbal order that is—

''(I) issued in accordance with a policy of the agency; and

''(II) provided by a medical director or authorizing medical professional in response to a request by the emergency medical services professional with respect to a specific patient—

''(aa) in the case of a mass casualty incident; or

''(bb) to ensure the proper care and treatment of a specific patient.

''(5) DELIVERY.—A registered emergency medical services agency may deliver controlled substances from a registered location of the agency to an unregistered location of the agency only if the agency—

''(A) designates the unregistered location for such delivery; and

''(B) notifies the Attorney General at least 30 days prior to first delivering controlled substances to the unregistered location.

''(6) STORAGE.—A registered emergency medical services agency may store controlled substances—

''(A) at a registered location of the agency;

''(B) at any designated location of the agency or in an emergency services vehicle situated at a registered or designated location of the agency; or

''(C) in an emergency medical services vehicle used by the agency that is—

''(i) traveling from, or returning to, a registered or designated location of the agency in the course of responding to an emergency; or

''(ii) otherwise actively in use by the agency under circumstances that provide for security of the controlled substances consistent with the requirements established by regulations of the Attorney General.

''(7) NO TREATMENT AS DISTRIBUTION.—The delivery of controlled substances by a registered emergency medical services agency pursuant to this subsection shall not be treated as distribution for purposes of section 308.

''(8) RESTOCKING OF EMERGENCY MEDICAL SERVICES VEHICLES AT A HOSPITAL.—Notwithstanding paragraph (13)(J), a registered emergency medical services agency may receive controlled substances from a hospital for purposes of restocking an emergency medical services vehicle following an emergency response, and without being subject to the requirements of section 308, provided all of the following conditions are satisfied:

''(A) The registered or designated location of the agency where the vehicle is primarily situated maintains a record of such receipt in accordance with paragraph (9).

''(B) The hospital maintains a record of such delivery to the agency in accordance with section 307.

''(C) If the vehicle is primarily situated at a designated location, such location notifies the registered location of the agency within 72 hours of the vehicle receiving the controlled substances.

''(9) MAINTENANCE OF RECORDS.—

''(A) IN GENERAL.—A registered emergency medical services agency shall maintain records in accordance with subsections (a) and (b) of section 307 of all controlled substances that are received, administered, or otherwise disposed of pursuant to the agency's registration, without regard to subsection 307(c)(1)(B).

''(B) REQUIREMENTS.—Such records—

''(i) shall include records of deliveries of controlled substances between all locations of the agency; and

''(ii) shall be maintained, whether electronically or otherwise, at each registered and designated location of the agency where the controlled substances involved are received, administered, or otherwise disposed of.

''(10) OTHER REQUIREMENTS.—A registered emergency medical services agency, under the supervision of a medical director, shall be responsible for ensuring that—

''(A) all emergency medical services professionals who administer controlled substances using the agency's registration act in accordance with the requirements of this subsection;

''(B) the recordkeeping requirements of paragraph (9) are met with respect to a registered location and each designated location of the agency;

''(C) the applicable physical security requirements established by regulation of the Attorney General are complied with wherever controlled substances are stored by the agency in accordance with paragraph (6); and

''(D) the agency maintains, at a registered location of the agency, a record of the standing orders issued or adopted in accordance with paragraph (9).

''(11) REGULATIONS.—The Attorney General may issue regulations—

''(A) specifying, with regard to delivery of controlled substances under paragraph (5)—

''(i) the types of locations that may be designated under such paragraph; and

''(ii) the manner in which a notification under paragraph (5)(B) must be made;

''(B) specifying, with regard to the storage of controlled substances under paragraph (6), the manner in which such substances must be stored at registered and designated locations, including in emergency medical service vehicles; and

''(C) addressing the ability of hospitals, emergency medical services agencies, registered locations, and designated locations to deliver controlled substances to each other in the event of—

''(i) shortages of such substances;

''(ii) a public health emergency; or

''(iii) a mass casualty event.

''(12) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to limit the authority vested in the Attorney General by other provisions of this title to take measures to prevent diversion of controlled substances; or

''(B) to override the authority of any State to regulate the provision of emergency medical services consistent with this subsection.

''(13) DEFINITIONS.—In this section:

''(A) The term 'authorizing medical professional' means an emergency or other physician, or another medical professional (including an advanced practice registered nurse or physician assistant)—

''(i) who is registered under this Act;

''(ii) who is acting within the scope of the registration; and

''(iii) whose scope of practice under a State license or certification includes the ability to provide verbal orders.

''(B) The term 'designated location' means a location designated by an emergency medical services agency under paragraph (5).

''(C) The term 'emergency medical services' means emergency medical response and emergency mobile medical services provided outside of a fixed medical facility.

''(D) The term 'emergency medical services agency' means an organization providing emergency medical services, including such an organization that—

''(i) is governmental (including fire-based and hospital-based agencies), nongovernmental (including hospital-based agencies), private, or volunteer-based;

''(ii) provides emergency medical services by ground, air, or otherwise; and

''(iii) is authorized by the State in which the organization is providing such services to provide emergency medical care, including the administering of controlled substances, to members of the general public on an emergency basis.

''(E) The term 'emergency medical services professional' means a health care professional (including a nurse, paramedic, or emergency medical technician) licensed or certified by the State in which the professional practices and credentialed by a medical director of the respective emergency medical services agency to provide emergency medical services within the scope of the professional's State license or certification.

''(F) The term 'emergency medical services vehicle' means an ambulance, fire apparatus, supervisor truck, or other vehicle used by an emergency medical services agency for the purpose of providing or facilitating emergency medical care and transport or transporting controlled substances to and from the registered and designated locations.

''(G) The term 'hospital-based' means, with respect to an agency, owned or operated by a hospital.

''(H) The term 'medical director' means a physician who is registered under subsection (f) and provides medical oversight for an emergency medical services agency.

''(I) The term 'medical oversight' means supervision of the provision of medical care by an emergency medical services agency.

''(J) The term 'registered emergency medical services agency' means—

''(i) an emergency medical services agency that is registered pursuant to this subsection; or

''(ii) a hospital-based emergency medical services agency that is covered by the registration of the hospital under subsection (f).

''(K) The term 'registered location' means a location that appears on the certificate of registration issued to an emergency medical services agency under this subsection or subsection (f), which shall be where the agency receives controlled substances from distributors.

''(L) The term 'specific State authority' means a governmental agency or other such authority, including a regional oversight and coordinating body, that, pursuant to State law or regulation, develops clinical protocols regarding the delivery of emergency medical services in the geographic jurisdiction of such agency or authority within the State that may be adopted by medical directors.

''(M) The term 'standing order' means a written medical protocol in which a medical director determines in advance the medical criteria that must be met before administering controlled substances to individuals in need of emergency medical services.

''(N) The term 'verbal order' means an oral directive that is given through any method of communication including by radio or telephone, directly to an emergency medical services professional, to contemporaneously administer a controlled substance to individuals in need of emergency medical services outside the physical presence of the medical director or authorizing medical professional.''.

Mr. HUDSON (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO UNITED STATES NAVAL ACADEMY

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 10 U.S.C. 6968(a), clause 10 of rule I, and the order of the House of January 3, 2017, of the following Members on the part of the House to the Board of Visitors to the United States Naval Academy:

Mr. GALLAGHER, Wisconsin, to fill the existing vacancy thereon;

Mr. CUMMINGS, Maryland

Mr. RUPPERSBERGER, Maryland

□ 1715

SUPPORTING THE HEARTBEAT BILL

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

Mr. ROKITA. Mr. Speaker, I rise today to discuss the importance of life.

Thomas Jefferson famously wrote that every man has the right to ''life, liberty, and the pursuit of happiness.'' I hold this quote near and dear because we must defend these rights. That is certainly true with the right to life for a baby.

Last week, I met with Rachelle Heidelbaugh with Faith2Action. Rachelle told me her story about when she chose life and how she has continued fighting for life through Faith2Action. Her story was truly moving and pulled at the heartstrings. I couldn't help but give her a hug because her story is so meaningful and her efforts are truly saving lives.

While Rachelle visited, we talked about the Heartbeat bill. The Heartbeat bill would ensure that every unborn child with a heartbeat is protected. We need to do whatever we can to protect life, and this bill will allow us to keep on protecting unborn boys and girls.

Rachelle gave me the Heartbeat Bill Hero Award like many in this House have gotten. The award is this small token that I am proud to carry because it represents thousands of lives that are being saved.

I will always stand up for a baby's right to life, and I hope my colleagues will join me in supporting H.R. 490, the Heartbeat bill legislation.

REPUBLICAN TAX PLAN

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

Ms. FRANKEL of Florida. Mr. Speaker, I stand against Republican efforts to give massive tax cuts to the wealthiest citizens and big corporations while robbing the pockets of middle class families and ransacking Medicare and Medicaid.

My constituents are worried. Just ask Marion, who uses Medicare to buy her costly diabetes drugs, or Sherry, whose husband has Alzheimer's and lives in a nursing home paid for by Medicaid.

Americans want a better deal, one that invests in infrastructure, education, and innovative research and lowers the costs of things like child care and prescription drugs.

We want better jobs, better pay, and a better future, not more giveaways to hedge funds and conglomerates.

RECOGNIZING NONPROFIT LEADERS IN BUCKS COUNTY, PENNSYLVANIA

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the hard work and significant impact of numerous nonprofit organizations in Bucks County, Pennsylvania.

Recently, I had the opportunity to meet with a group of CEOs from nonprofits across Bucks County. These organizations span a range of areas, including health and human services, education, arts and humanities, and services for our community's seniors.

I want to thank Potential, Inc., NOVA Bucks County, the James A. Michener Art Museum, Pearl S. Buck International, the David Library of the

American Revolution, the Mercer Museum and Fonthill Castle, Libertae, The Open Link, YWCA Bucks County, and the Central Bucks County Family YMCA—Doylestown Branch. The productive and frank conversations facilitated by these organizations is a tribute to both these nonprofit leaders and their members.

Bucks County is made a better place because of the amazing people we have committed to our nonprofit community. We thank them for giving their time, their energy, and their passion in serving a cause bigger than themselves.

HONORING THE LIFE OF JEREMIAH GRANT

(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, today I rise to congratulate a group that I have worked with for some time, the Jersey City H.O.N.E.Y. Bees Double Dutch team for their big wins at the American Double Dutch League's 44th international competition.

But tragedy intervened. Sadly, on October 28, one of the H.O.N.E.Y. Bees passed away. I ask my colleagues to join me in honor and remembrance of the life of Jeremiah Grant.

Jerry was a student at the Ollie Culbreth Jr. School in Jersey City, New Jersey. He excelled in academics and in the world of competitive jump rope. At only 8 years old, Jerry was the youngest member of the H.O.N.E.Y. Bees. He was also the only boy on the team and was called Prince Bee. Jerry was a winner, and his legacy of love will live on in north Jersey.

May Jerry ''Prince Bee'' continue flying high in eternal peace.

CHIP AND COMMUNITY HEALTH CENTERS

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

Mr. JOHNSON of Louisiana. Mr. Speaker, I rise today to speak in favor of H.R. 3922, the Community Health and Medical Professionals Improve Our Nation Act. This legislation reauthorizes the Children's Health Insurance Program—or CHIP, as we know it—as well as funding for community health centers in a fiscally responsible manner.

These programs have proven to be a valuable asset for many of the people in this country and many of the constituents that I have back home in Louisiana who don't qualify for Medicaid but still need assistance in accessing affordable health insurance.

In Louisiana alone, insurance providers have projected that rates will increase substantially next year as healthcare options continue to dwindle. For that reason, many Americans are choosing to forgo healthcare coverage altogether rather than suffer under the weight of the new, increased costs.

In times of high uncertainty in our healthcare system due to ObamaCare, this legislation makes meaningful reforms to ensure the most vulnerable among us, our children, remain protected.

The Community Health Center Fund has proven to be a critical resource for Louisiana's Fourth Congressional District by delivering much-needed resources to my local community health centers.

I just want to say this program, in particular, is vitally important for the safety and security of our children. Republicans in Congress have worked tirelessly to draft this legislation to ensure that this bill maintains important safeguards for our children and families and protects their access to critical care.

SAFE PEDESTRIAN AND BICYCLE PATHS

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

Mr. ESPAILLAT. Mr. Speaker, I rise today to express my greatest sorrow for the New Yorkers, their families, and visitors who were affected by the tragedy in Lower Manhattan just 2 days ago. I offer my sincere condolences and prayers to their family members.

After this senseless and indiscriminate attack, Mr. Speaker, we cannot wait for another tragedy to pass before we decide to better protect pedestrians and bicyclists, especially in areas of high foot traffic.

The sidewalks and bike lanes of Times Square, the Financial District, and other city centers nationwide remain vulnerable. The STOP Act is a bipartisan bill that I have introduced, along with my colleague Congressman DAN DONOVAN from New York, just this last month and was recently introduced by Senator GILLIBRAND in the Senate.

As we saw in Charlottesville, Barcelona, and in Times Square months ago, vehicles are increasingly utilized in terror attacks worldwide. We must prioritize the safety of our constituents first, including the safety of pedestrians and of our communities. The STOP Act will provide for the installation of bollards in areas of high foot traffic.

This attack does not define New York, just as no other attack can crush the spirit of our city. We rise above those threats when we continue being a city that embraces people of all cultures and teaches love and respect.

RECOGNIZING RACHEL CHAMPNEY

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

Ms. TENNEY. Mr. Speaker, I rise today to recognize Rachel Champney, a markswoman who was recently awarded the 2017 Rimfire World Championship title in the ladies limited division.

A 15-year-old sophomore at Vernon-Verona-Sherrill High School, Rachel began shooting only 2 years ago but has developed a deep love and respect for the sport. She learned how to shoot through local marksmanship programs before being encouraged to compete nationally by members of the Trenton Fish and Game Club. Now, Rachel can fire through six targets with deadeye accuracy in under 3 seconds.

With Rachel's success has also come a passion to share her advocacy for gun safety. Rachel spends her free time teaching new shooters, including her family and friends, proper firearm safety measures. As Rachel grows as a markswoman, she continues to grow as a community leader.

Congratulations on this amazing accomplishment, Rachel, and I hope to have the honor of shooting with you in the near future.

CALLING FOR CHIP REAUTHORIZATION

(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, today I rise to speak on the importance of reauthorizing the Children's Health Insurance Program, commonly referred to as CHIP.

In my home State of Virginia, there are 66,000 children and 1,100 pregnant women who rely on CHIP. Almost 6,000 of those children and pregnant women live in my district. They need a clean reauthorization of CHIP. Instead, this week, we are expected to vote on a bill that will put my constituents at risk.

As reported from committee, this new version of CHIP, the so-called HEALTHY KIDS Act, is loaded with poison pills that would undermine the Affordable Care Act, Medicare, and Medicaid. According to the Georgetown University Center for Children and Families, CHIP with Medicaid boosted the rate of children's health coverage to more than 95 percent.

Mr. Speaker, why tamper with such success? I urge my colleagues on the other side of the aisle to bring a bill to the floor that reauthorizes CHIP and supports our constituents.

TAX REFORM

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

Mr. ROTHFUS. Mr. Speaker, today House Republicans introduced H.R. 1, the Tax Cuts and Jobs Act.

This day has been a long time coming. Since Republicans gained the majority in 2011, there have been numerous congressional hearings and briefings, feedback from constituents on

what tax reform might look like, and even the introduction of a comprehensive reform bill introduced in the last Congress. Republicans campaigned on a better way to tax reform in specified areas for reform, and we followed that up earlier this year with a framework document setting forth our principles.

Today is the culmination of more than 6 years of work, but our work is not done. Now Members of Congress and the public will have the opportunity to study the legislation in detail. When all the dust settles, two questions will remain:

Will this put more money in the average American's pocket?

Will this put America in a much better position in the global economy and allow us to finally break through years of stagnation with much healthier growth, more jobs, and higher incomes?

That should be our focus. I encourage everyone to visit fairandsimple.gop, and I look forward to a real debate on how tax reform and tax cuts will relight opportunities for all Americans.

SUPPORTING THE STATE AND LOCAL TAX DEDUCTION

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

Ms. ESTY of Connecticut. Mr. Speaker, for weeks we have heard that the partisan tax plan crafted behind closed doors might include the elimination of the deduction for families' State and local income taxes. Today the rumors became reality. The tax plan announced today would drastically reduce the State and local tax deduction.

Let me be as clear as I can be. This proposal is a tax increase on middle class families, and I oppose it. Working people in my State already send more dollars to the Federal Government in taxes than they receive back in support. For every dollar we send to Washington from Connecticut, we receive back just 83 cents. By attacking the State and local deduction, this tax plan would make life even harder for real people in my district.

A senior citizen in Simsbury, Connecticut, called me to say that she might lose her home if this tax deduction is taken away from her. Seniors who live on a fixed income shouldn't have to risk losing a roof over their head just so that Congress can cut the corporate tax rate.

Families who are already struggling to pay their bills, put their kids through college, and buy their first home shouldn't have to suffer in order to cut taxes for the wealthiest Americans.

The President promised that tax reform would help our middle class and would bring jobs back. It is doing neither.

I urge my colleagues to support keeping the State and local deduction.

□ 1730

SUPPORT REPUBLICAN TAX PLAN

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

Mr. MCHENRY. Mr. Speaker, here in Washington, we are in the midst of a major debate on tax reform, tax simplification, and tax cuts.

The plan unveiled by House Republicans today is a tax cut plan for middle-income, middle class families in America. If you are a family of four making $59,000, which is the median family income in America, you will receive a $1,200 tax cut as a result of the plan that we unveiled today.

That is real money for middle class families in North Carolina. Maybe it is not real money in Washington, D.C., but it is real money in western North Carolina.

We need tax cuts. We need tax simplification. We need economic growth, more American jobs, and a more competitive environment in America so that we can keep jobs here in the United States and not offshore those jobs. We need middle class families to win. Our plan does that.

Mr. Speaker, I urge my colleagues to support our efforts.

FISCALLY IRRESPONSIBLE TAX BILL

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

Mr. SCHRADER. Mr. Speaker, today, my colleagues on the Republican side of the aisle released their fiscally irresponsible tax bill.

I am still reading my way through the 492-page proposal, but it doesn't take long to notice a huge flaw in the process: the majority is using the partisan budget reconciliation process, a process traditionally reserved for deficit reduction, to add over $1.5 trillion to the deficit and jam a reckless bill through the House without hearings, study, or debate. We don't have to operate that way.

Let's compare where we were the last time Congress reformed the Tax Code in 1986 to where we are today.

When Congress last took up this monumental task, it took over 2 years. There were 4 months of public hearings, more than 450 witnesses, 26 days of markup, and months of debate. This wasn't easy, but what did we get?

We got a simplified Tax Code that did not add to the deficit and a bill that had broad bipartisan support in the House and the Senate, and the support of the American people.

Mr. Speaker, let's work together on a bipartisan basis. Let's reform the Tax Code in a way that helps the middle class and does not add to our children's deficit in the future.

BURN PITS

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

Mr. RUIZ. Mr. Speaker, we need a hearing on burn pits immediately.

Burn pits are used by our military at bases in Iraq and Afghanistan to eliminate tons of waste, including chemicals and plastics. They cause giant clouds of black smoke containing carcinogens.

Thousands of our men and women in our military are exposed to these cancer-causing hazards. I know because my constituent and friend, Jennifer Kepner, a 39-year-old wife, mother, and Air Force veteran, died from pancreatic cancer 2 weeks ago. Her oncologist made the most probable link between her exposure to burn pits while serving in Iraq and her pancreatic cancer.

Congress must act. Too many questions remain. Are burn pits still being used? What are the DOD and VA doing to help veterans who have been exposed?

On behalf of Jenn and all concerned veterans, I, along with Republicans and Democrats, demand hearings in the Armed Services and VA Committees immediately to get answers.

CONGRESSIONAL PROGRESSIVE CAUCUS: REPUBLICAN TAX PLAN

The SPEAKER pro tempore (Mr. KUSTOFF of Tennessee). Under the Speaker's announced policy of January 3, 2017, the gentlewoman from Washington (Ms. JAYAPAL) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. JAYAPAL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Ms. JAYAPAL. Mr. Speaker, today, the Republicans released their tax plan. Unsurprisingly, it is a gift-wrapped tax cut to the rich. Christmas came early, Mr. Speaker. From huge corporate tax cuts to the elimination of the alternative minimum tax paid by the wealthiest Americans, this tax plan will hurt our economy and prioritize the top earners of our country. But there is one person—maybe a group of people—who is very thrilled about this tax plan, Mr. Speaker, and that person is Mr. Money Bags. Mr. Money Bags is really going to benefit from this tax plan.

First of all, the President himself will greatly benefit from the tax plan. It is impossible to know exactly how much because we still don't have his tax returns. He has refused to release them. We would really appreciate, and we demand, frankly, that the American

people know exactly how much he is going to benefit from this tax plan.

Mr. Speaker, as the vice chair of the House Budget Committee, I saw firsthand how the Republicans rammed through a budget plan that paved the way for the massive Ryan-McConnell tax giveaway to the wealthy. Frankly, as a new Member, I find it an affront to the legislative process and an affront to families across the United States in red and blue States alike that we did not have hearings on that budget, that we are not going to have hearings on this tax plan, which is a complete rewrite of the U.S. economy that is going to be pushed through, apparently, in 2 weeks or less. We still have no score on this because we just saw the details of a tax plan today.

The Republicans have made this habit of relying on fake logic and faulty assumptions. They did it with healthcare and the budget, and it is safe to assume that is what we are looking at here.

These cuts do not pay for themselves. Despite the claims that this tax plan is really going to help middle class Americans, the reality is that it is going to hurt millions of American families just to fast-track tax cuts for millionaires, billionaires, and large corporations.

If the Republicans are so opposed to so-called government handouts, as we are always told they are called, then why is it that they seem to be more willing to hand out everything we have to the wealthiest people in this Nation?

Now, we are still exploring all of the details of this tax plan that was just released today, but there is no question that this bill is going to make sure that the wealthiest individuals and the largest corporations in this country get a tax cut of a million dollars. If you happen to be in the top one-tenth of 1 percent, then bingo, Mr. Moneybags is going to get a million dollars in a tax cut every year.

Consider this: if this tax bill lines up with the budget resolution, then 80 percent of the Republican tax cut goes to the top 1 percent by 2027; the average tax cut for the top 1 percent in 2027 would be $207,000; for millionaires, the cut would be $230,000; and, as I said, for the top one-tenth of 1 percent, you get to have a million dollars a year. For the middle class, on the other hand, 42 million middle class households would face a tax increase.

Let's not be fooled by this idea that the standard deduction is going up, and let me tell you what that means. It means that, along with the standard deduction going up, you are also getting your credits for individual children taken away, the itemization of it.

So if you have a family with several children, as many Americans do, you will actually end up probably being able to deduct less.

Let's also be clear that when you eliminate the deduction for property taxes and State and local taxes, and you cut all of the services that are going to be required to be cut if you are going to pay for this tax cut, then you will end up paying more in your States, both in terms of the SALT deduction, but also in terms of all of the increased taxes you are going to have to pay at the local level to fund things like infrastructure and education.

Let's be clear that this plan gives a $4 trillion tax cut to the wealthiest 1 percent and largest corporations, taxes 42 million working families more, and borrows millions from the future to give those tax cuts.

Last week, in the Rules Committee, I offered an amendment to the Republican budget resolution that would have stopped some of the most egregious impacts of the billionaire's budget.

My amendment would have said that none of the tax cuts proffered in this plan should apply to households in the top 1 percent of income earners. It would have plainly said that the United States is not in the business of giving massive tax cuts to those who are already incredibly wealthy.

Mr. Speaker, I talked about some of the millionaires in my district, because I do have some. I am fortunate to have a good economy in Seattle, where we have a $15 minimum wage, where we have paid family leave for everybody, yet business is still booming, the economy is doing well. We have people who have done well, and they would like to pay their fair share.

For decades, Republicans have prioritized the interests of corporations and the wealthiest ahead of working class families.

What is being proposed in this budget, this tax plan, is exactly what Republicans in Kansas proposed in 2012.

In 2012, a Republican Governor and Republican Legislature in Kansas passed through the same thing. They said: Let's make sure that we have tax benefits for these passthrough corporations—by the way, Donald Trump owns 500 passthrough corporations; he will benefit greatly from this—and let's make sure that we reduce the tax rates on the wealthiest. In doing so, we will make sure that we are investing in the economy.

That meant, by the way, all those tax cuts had to be paid for. So there was a $700 million cut to the Kansas State budget, which resulted in schools not being able to operate full time, resulted in roads being in disrepair, and ultimately resulted in Kansas' bond ratings going down.

In the end, that GDP growth that we were promised, the economic growth that was guaranteed if you were to put the money into the top corporations and the top income earners that were supposed to somehow trickle down, that growth never came to be.

So, guess what happened, Mr. Speaker? The Republican Legislature in Kansas rolled back those tax cuts. They said: That trickle down thing didn't work.

The promises of economic growth didn't work, and ultimately they had to move it back. Finally, Kansas is starting to come out of that by investing in working families.

Ultimately, I believe, and I think Democrats believe, if you invest in regular folks, if you put the money into working families, you give them a tax cut and you make sure that they are actually paying less, not more, even if you say that you are giving them a deduction, in the end, they are paying more in this tax plan. But if you invest the money there, instead of taking $270 billion that is proposed by repealing the estate tax—which only a tiny portion of people pay, by the way; that estate tax—and 5,400 families are going to get $270 billion in this Republican tax plan. I say, let's take that money and give it to working families instead of those.

I think that we have a lot of different options. The Congressional Progressive Caucus has put forward our own budget, a people's budget, with our own tax principles. The bottom line is: we believe in ordinary Americans. We believe if you invest there and you give people the opportunity to work in good jobs, to earn good wages, and to really make sure that they have dignity, respect, and can save for the future and send their kids to college, that ultimately builds our economy.

So I am really honored to be doing this Special Order hour with my good friends and colleagues. We are going to do a little bit of a back-and-forth here.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. GALLEGO) to have him talk a little bit about what we are hearing. Is it true? Is it hypocrisy? What do you think about those debts and deficits?

Mr. GALLEGO. Mr. Speaker, we know that the Republican tax plan is a massive, unconscionable giveaway to millionaires and billionaires. We know that it will blow up the deficit and do nothing to raise wages or create solid middle class jobs.

What we don't know, Mr. Speaker, is how much the GOP tax proposal will personally benefit Donald Trump. That is because, unlike every other American President, Donald Trump has refused to disclose his tax returns.

Trump claimed that he couldn't release his returns throughout the campaign because he was ''under audit.'' But, Mr. Speaker, he never provided any concrete proof. More importantly, the IRS confirmed that being under audit in no way prohibits someone from making their returns public. In fact, President Nixon did just that while he was in office.

□ 1745

More recently, when The Economist magazine asked Trump about releasing his returns, he said: ''I don't know. That's a very interesting question. I doubt it. I doubt it . . . Nobody cares about my tax return except for the reporters. Oh, at some point I'll release them. Maybe I'll release them after I'm finished. . . .''

That is right, Mr. Speaker, we will have to wait until Trump leaves office just to find out just how much money he made thanks to his own tax reform bill. And my Republican friends are apparently just fine with that. There is a shocker. They don't care that Donald Trump is using his office to enrich himself. They don't care that we can't even say with any certainty exactly how much richer he is going to get. They don't care about the debt. They don't care about the deficit. They don't care about making our tax system fairer. Literally, the only thing they care about and that truly matters to House Republicans is that they get to cut taxes for the richest Americans, the people who need a tax cut least of all.

Mr. Speaker, Donald Trump does not need a tax cut, neither does Secretary Mnuchin or Secretary DeVos or Secretary Tillerson or Paris Hilton, but they are going to get one if Republicans have their way.

In 2012, PAUL RYAN said: ''We have a debt crisis right in front of us, and what brings down great empires, past and future, is debt.''

In 2013, PAUL RYAN said: ''Our debt is the biggest threat to this country. We have to tackle this problem before it tackles us.''

In 2016, Donald Trump said: ''I am the king of debt. I love debt.''

It certainly seems like Speaker RYAN has come around to President Trump's way of thinking. Republicans are planning to add $1.5 trillion to our national debt, and they couldn't be happier about it.

Here is the simple reality, Mr. Speaker. Republicans only care about deficits when they want to cut spending on programs for the poor or for veterans or for the elderly or for our children. Republicans only care about debt when they want to slash Social Security and Medicare. Mr. Speaker, Republicans only care about debt and are only fiscally responsible when there is a Democrat in the White House.

The American people are now seeing right through this hypocrisy, just like they see right through Donald Trump's excuses about his tax returns. They want us to reject this Republican tax plan, and it is about time we started listening to them.

Ms. JAYAPAL. Mr. Speaker, I thank Mr. GALLEGO for his incredible leadership. One of the things, when we think about this plan, there is really—it is a three-step plan.

Number one, transfer trillions of dollars of wealth and tax cuts from middle class working families to the top 1 percent.

Number two, explode the deficit, which we know is part of this deal. We are going to explode the deficit.

Number three, use that exploding deficit as a way to cut spending.

But most of all, I am not sure that the numbers add up. So I wanted to ask my good friend from the Progressive Caucus, Representative TED LIEU from California, to just weigh in with his wisdom around what exactly is going on with these numbers and what are we seeing in this budget. Does it add up?

Mr. Speaker, I yield to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, I thank Representative JAYAPAL for yielding.

You know, today is Thursday, so we first have to ask: Why does Jared Kushner still have a security clearance?

But I digress. We are going to talk about the GOP's disastrous tax plan. The reason we know that it is a disaster is one simple fact: the math doesn't add up.

So if you believe that 2 plus 2 equals 5, then this tax plan is for you. For the rest of us, it is going to explode the deficit and add to the Federal debt.

What does that mean?

That means massive cuts to Medicare, to Medicaid, to other vital programs that are protecting seniors and all Americans who depend on some of these programs in order to survive.

Now, we can look at this tax plan and we can say, ''Hey, it might give tax breaks to the wealthy who are then going to trickle down,'' except in the history of the United States, that kind of trickle-down economics has never worked. If you look at how the tax plan is constructed, it really chafes States such as California, New York, New Jersey, Washington, and other States by eliminating the State and local tax deduction.

When you do that, it causes filers to not be able to deduct their State and local taxes; and in California, New York, New Jersey, Washington, and other States, there's going to be tax increases to middle class families.

In addition, because the way the tax plan is constructed, it has the potential to lower housing prices because it also caps your mortgage interest rate deduction. That is why the National Association of Home Builders came out opposing this plan, and they have put out something which is deeply concerning. They are saying this could potentially cause a housing recession.

You also have the National Federation of Independent Business, which represents small businesses across America, opposing this plan.

Why?

This is a big tax giveaway to the ultrawealthy. If you look at an early analysis by The Washington Post, they say that 80 percent of this tax plan's benefits will go to the top 1 percent.

If you look at this tax plan, it is going to hurt middle class Americans in order to fund those at the very top. This is not something we should be doing in our country.

I also request this Speaker work with Democrats on a bipartisan basis. We are not opposed to tax reform. We are opposed to stupid tax reform. And this is just a really stupid plan that, again, explodes the deficit, adds to our Federal debt, and whacks States like California, New York, and New Jersey, as well as Washington State. So I urge that Republicans work with Democrats and come up with a plan that actually helps middle class Americans instead of going after them.

Ms. JAYAPAL. Mr. Speaker, I thank Representative LIEU.

I wanted to just point out that there was a study that was done out of Wharton on the tax plan. It wasn't on this most recent version, but I think the majority of the things that are in this are still true in what they analyzed. What they came out with and said is that the assumption of 3 percent growth does not make sense; that, really, what they are looking at is 1.3 to 1.4 percent, ultimately, growth, and that it would create a $10 trillion deficit over time. I believe it was $3 trillion in the first 10 years. I have to go back and check that number.

Essentially, what they are staying is it doesn't work. The person who actually wrote the 1981 tax cut under Ronald Reagan, who was working for Jack Kemp at the time, wrote an op-ed in The Washington Post, I believe it was, and said: ''This theory of trickle-down economics doesn't work. We were wrong when we did that, when we said that back then, and it is wrong to look at that same idea today.''

Now, Representative LIEU said Democrats are not opposed to tax reform. That is right if it was real reform. We do think that the Tax Code could be simplified, that it could be fair so that small businesses and working families and folks who are really investing in the economy are the ones to get the benefits of any tax reform, that we would close some of the tax loopholes. Unfortunately, this is not tax reform. What has been proposed is not tax reform. It is tax giveaways to the wealthiest.

I want us to be very clear about what the majority is trying to do here. They are trying to rewrite the U.S. economy with absolutely no hearings. It is, frankly, outrageous that we would not even have a hearing on a major tax bill that is going to affect every single person in this country.

We should have hearings. I don't know what happened to regular order. People talk about regular order, but as a new Member who was just elected last year for my first year in Congress, I can tell you I have not seen regular order. I sat on the Judiciary Committee. We don't have hearings in the Judiciary Committee. The majority of the bills that come to the floor are bills that we have never had an opportunity to have a hearing on. When you look at this tax plan, I believe we should be able to have more than 2 weeks to vote on it.

I think every single American should understand what is in the plan and at least have the opportunity to decide whether or not it is beneficial for them. Unfortunately, Mr. Speaker, I don't think that is happening.

Let me just summarize what we think is happening in this current

version of the tax proposal that has been put forward.

First of all, it is a win for the well connected and the wealthy. That is what the Ryan-McConnell tax bill is. President Trump promised the tax reform would benefit the middle class, not the wealthy; but, unfortunately, rhetoric does not match reality. Instead, this bill that we are looking at now would create a new passthrough loophole that wealthy individuals would exploit to lower their own taxes.

Just as an example, a version of this loophole was used by University of Kansas Basketball Coach Bill Self to avoid paying more than $125,000 in State taxes in 1 year alone. The alternative minimum tax, which we call the AMT, which ensures that the wealthy at least pay more of their fair share, is eliminated in the Ryan-McConnell plan.

While little is known about President Trump's taxes, we do know that, without the AMT, the President would have paid $31 million less in taxes in 2005 alone. So you see why Mr. Moneybags over here is so important to this discussion, because that is ultimately who is going to benefit.

Now, Speaker RYAN also believes, as I mentioned, that we should give a windfall to the ultrawealthy by eliminating the estate tax. Again, that estate tax is paid by less than 5,400 families across the Nation, and in 2016, not one person paid the estate tax in seven States.

So what happens to middle class families? Because if all these wealthy folks are going to get all the money, then the question is: So what happens for middle class families? Because that is really where the attention should be. That was what was promised by Donald Trump.

Speaker RYAN and the Republican establishment have attacked commonsense policies used by millions of middle class families in order to pay for this tax giveaway to the wealthy. So Republicans have taken away the ability to write off your State and local tax bills, forcing millions of families to pay taxes twice on the same dollar earned, except for property taxes, up to a mere $10,000. That is the cap that they are proposing on property taxes.

Americans that are hit with significant medical costs, for example, those who have cancer or ALS or Alzheimer's, would lose their ability to write off these costs under the Republican plan.

The Ryan-McConnell tax bill also eliminates deduction for personal casualty losses. A big blow if you are a victim of crime, theft, or disaster. It also excludes—it eliminates the exclusion for dependent care assistance program, which is an incredibly important benefit for working families.

So in the end, you just have to ask yourself: In order to give trillions of dollars of tax cuts to the wealthiest and the biggest corporations, what does that mean for working families?

It means working families are going to foot the bill over and over again. I believe this is a bad deal for middle class families, for America, and for our economy.

One last thing I forgot to mention is that there is actually an incentive. After all of the talk of bringing jobs back to America, there is actually an incentive in this bill to take work and jobs to a tax-haven country because the amount of taxes that you would pay on that is actually lower than the amount of taxes you would pay if you were to start a factory here in Iowa or Kansas or somewhere in the United States. If you were to actually create jobs here, you would have to pay a higher tax rate than if you were to create that same factory in some tax-haven country in other parts of the world where you don't have to pay—you would end up not paying the same amount of taxes. So this is a bad deal for middle class families.

I don't know if my friend, Mr. JEFFRIES, would like to speak on the tax excellence, so I am really thrilled now to be able to turn this over to a member of the Progressive Caucus, a leader on our Judiciary Committee, Representative HAKEEM JEFFRIES from New York.

Mr. JEFFRIES. Mr. Speaker, I thank Representative JAYAPAL, my good friend and tremendous colleague on both the House Budget Committee and the House Judiciary Committee, the distinguished gentlewoman from the great State of Washington, for her tremendous advocacy, for anchoring this Congressional Progressive Caucus Special Order, and for addressing the American people on this critically important issue, so-called tax reform put forth by House Republicans today in a manner that is clear-eyed, that is authentic, that is comprehensive, and that will hopefully awaken the American people to the notion that this is an attempt by House Republicans to do nothing more than to jam tax cuts for millionaires and billionaires down the throats of the American people.

□ 1800

Now, I represent the Eighth Congressional District in Brooklyn and Queens. I am proud to be a Member of the House of Representatives, proud to be from the city of New York. And we are generous people in New York City; generous people in New York State. In fact, New York State regularly sends tens of billions of dollars more to the Federal Government than we get back in return.

The State of Connecticut sends billions of dollars more to the Federal Government than they get back in return. So does New Jersey. So does California. So does Illinois. So does Pennsylvania. And, for decades, we have allowed that generosity to continue to show itself in terms of the fact that we get shortchanged in homeland security dollars, transportation and infrastructure dollars, and a whole host of other Federal funds that disproportionately make its way to other parts of the country, often to States in the deep South.

We are generous people. But at what point is enough enough? And today, you have crossed the line by putting a target on the backs of people in New York, and New Jersey, and Pennsylvania, and Illinois, and California, and several other States, including people who live in places like Charleston, South Carolina, or other cities that may have relatively modest State taxes, if any at all, but who are taxed at the local level, or who pay property taxes.

And so everyone throughout the United States of America, tens of millions of people, are going to be hurt by this Republican tax plan, because of the limitations on deductibility related to State and local taxes, because of the draconian limitations on deducting property taxes, and because of the limitations placed on middle class homeowners as it relates to the mortgage interest deduction. You can't make this stuff up.

The Republican tax plan is nothing more than a Ponzi scheme to provide a windfall to millionaires and billionaires, the wealthy and the well-off, to special interest corporations, and to hide it in the notion that it is a middle class tax cut. The Republican tax plan won't help the middle class. It will hurt the middle class. It is a Ponzi scheme. It will undermine Medicare and Medicaid. It will impose billions and billions of dollars in additional deficit. It will force your children and grandchildren to shoulder approximately $1.5 trillion in additional debt. And this is all being done in order to provide massive tax cuts to millionaires and billionaires, the overwhelming majority of whom will be the ones who disproportionately benefit from the so-called tax reform plan. Yes, it is a Ponzi scheme.

And why do I say that? Well, because what you are going to hear is that trickle-down economic theory; supply-side economic theory; or the latest word craft that they have come up with, dynamic scoring, will result in a situation where these massive tax cuts for millionaires and billionaires, and for special interest corporations, will somehow magically result in unprecedented economic growth. Sounds good.

The only problem is that it is a failed, fraudulent, and fake argument. It is a fantasy that has no basis in reality.

When Ronald Reagan, in 1981, cut taxes for the wealthy and for the well-off, we didn't get unprecedented economic growth, we got massive deficits.

When George W. Bush cut taxes for the wealthy and for the well-off in 2001 and 2003, we didn't get unprecedented economic growth, we got a Great Recession—the worst economic crisis since the Great Depression.

When the Republican Governor of Kansas moved forward with what he

called the Kansas experiment, massively cut taxes for the wealthy and for the well-off in Kansas, so much so that the wealthiest 300,000 folks from Kansas didn't pay a single dollar in taxes at all—the people of Kansas were promised unprecedented economic growth, unprecedented job creation—this is the Republican Governor of Kansas—when he cut taxes, you didn't get unprecedented economic growth. What you got were prison riots, overcrowded classrooms, and crumbling infrastructure.

The Republican tax plan is nothing more than a Ponzi scheme. Supply-side economics has failed; trickle-down economics has failed; dynamic scoring is a fantasy. We would say in Brooklyn: Don't believe the hype. We will surgically communicate to the American people why the Republican tax plan will hurt the middle class, hurt working families, hurt children, hurt senior citizens, and hurt those who aspire to be part of the middle class.

And one last point that I would make: I am shocked that you would put a target on the back of people who are paying State and local taxes—presumably because you think this is a deduction that the American people no longer deserve—but then in your same tax plan you allow corporations and businesses, wealthy titans of corporate America who run these companies, to continue to deduct State and local taxes on their corporate tax returns. Seriously? You don't even pretend to have equitable treatment? Oh, I forgot: corporations are people, too.

This is an extraordinary scheme that they are going to try to jam down the throats of the American people. But we are here, as Democrats, to make sure that the American people understand that you are being offered a raw deal. We are going to present to you and fight for a better deal for middle class tax cuts, for tax cuts for small businesses, tax cuts for working families, and to make sure that people in America continue to pay their fair share.

Mr. Speaker, I thank the distinguished gentlewoman from Washington for yielding to me.

Ms. JAYAPAL. Mr. Speaker, I thank Representative JEFFRIES for laying that out so clearly.

I don't know how he feels about the idea that we haven't had a single hearing on this bill. We are hearing that we are going to vote on it in 2 weeks.

What is his experience? Since I am a new Member—I just joined this year—I thought we had regular order, I thought we got to debate things, I thought the minority got to speak up, and maybe we got to take ideas from both sides. What does he think about the idea that they are going to try to ram this thing in in 2 weeks?

Mr. JEFFRIES. Mr. Speaker, I think that is a great question, and it is deeply troubling.

You hear the words ''regular order.'' That is a Washington, D.C., phrase, but we can translate it for the American people. Regular order equals democracy, and democracy is being undermined as it relates to the Republican tax plan, Ponzi scheme, because they are going to try to jam it down the throats of the American people.

Not a single meaningful hearing, as was done on a bipartisan basis in 1986, when Ronald Reagan and Tip O'Neill got together to reform the Tax Code in a meaningful way, in a bipartisan way, in a thoughtful way. But, unfortunately, regular order, democracy, is being undermined by this Republican-led Congress, as it relates to this tax bill.

Ms. JAYAPAL. Mr. Speaker, what strikes me is, when you don't have a process, you don't have discussion and debate, and you try to jam something through, it means you are trying to hide a whole lot. So I just wanted to say that there is an article in The Washington Post today about winners and losers in the Republican tax plan, and here is what they say are winners.

This isn't a Democrat saying this. This is The Washington Post saying, big corporations—number one winner, big corporations. American megabusinesses would get a substantial tax reduction.

And, by the way, that is not just on one level, that is a number of levels. And my colleagues over here know that this is the number one plan here, because there is a clear difference of opinion. You all think that, if you invest in these big corporations and in the wealthiest individuals, you would rather put your faith into those folks rather than middle class families across the country who could actually build our economy.

So this bill cuts the top rate that large corporations would have to pay the biggest one-time drop in the big business tax rate ever; I repeat, the biggest one-time drop in the big business tax rate ever.

On top of that, you would get some new tax breaks if you are a corporation, so you would get to lower your bills.

What I have seen in the polling is that Americans across the country think that corporations are already getting too good of a deal and they should pay their fair share. And what millions of struggling families across the country want is for somebody to actually fight for them, somebody to fight for people who are going to work every day, who are doing everything they can to have an American life that pays them enough money to get a job to put food on the table, to send their kids to college, to retire with dignity, a better deal than the raw deal that they are getting right now. But that is the number one winner.

The second biggest winner, according to The Washington Post: the superrich. And that was the estate tax that I mentioned, which only benefits 5,400 families across the United States who pay that estate tax. But we are going to put hundreds of billions of dollars into repealing the estate tax so that those 5,400 families can continue to earn more and more money on the backs of the middle class.

And, of course, the third one is anyone paying the alternative minimum tax. That is Donald Trump. The biggest part of his tax bill that he paid, on the one tax return that he released, was from the alternative minimum tax. But that alternative minimum tax is now getting eliminated in this bill to benefit Donald Trump. And it forces people who earn more than $130,000 to calculate their taxes twice.

There is one more. They said, ''Hedge funds, doctors, and lawyers''—that is the fourth one that they mention—as the wealthiest hedge fund managers, who are going to, ultimately, get a sizable discount, while ''under the GOP bill, high-earning small-business owners will only pay a tax rate of 25 percent on 30 percent of their business income,'' the passthrough business rate.

The reality is that even though there are some small businesses that are passthrough entities, most of those small businesses do not get the majority of their income as passthrough income, they get it from other things. The only people who really benefit from that passthrough are those hedge fund managers and folks like that.

Who are the losers? Small-business owners. The National Federation of Independent Business, which represents 325,000 small businesses said: Uh-uh, we are not supporting the GOP bill. Why? ''It leaves too many small businesses behind.''

So Main Street is hurting under this proposal.

Who else? Like you said, people in high-tax blue States. So say good-bye to most of the State and local tax deductions from States like California, New Jersey, New York, Connecticut, and my State. My home State of Washington is really going to be hurt by this because we don't have an income tax, so we have very high property taxes, and we have very high other sales taxes. None of that would be—well, property tax, according to this plan, you would get a tiny, little cap on it of $10,000.

And then who else is a big loser? The working poor. Here is what The Washington Post says: ''While the bill includes lots of tax breaks for big businesses and the rich, the bottom 35 percent of Americans do not get any extra benefits.''

□ 1815

So there is one more loser here, which is interesting. It says, ''charities.''

The National Council of Nonprofits says that charitable deductions, when Americans chip in to take care of folks who have been hurt by disasters across the country or they contribute to nonprofits or others, that those charitable deductions are likely to go down under this bill because, interestingly and ironically, the Republicans still enable ''the wealthy to continue deducting

their charitable giving.'' But most people would not be able to get the tax break because they probably stop itemizing their deductions, so you would actually lose all of that.

So I don't know, Mr. JEFFRIES. I think we are going to have a lot of work to do here to make sure that the American people understand exactly what this proposal is and to really get the word out.

Mr. JEFFRIES. Well, I appreciate you going through that important list. I think it can be distilled, you know, quite simply.

The winners of the Republican tax plan are the billionaire boys club; the losers are the American people, everyday Americans, all premised, again, on, and you are going to hear this over and over again, dynamic scoring—sounds great—trickle-down economics.

You know, I figured out that trickle-down economics essentially means, for the middle class, you may get a trickle, but you are guaranteed to stay down, because there is no evidence—no evidence from the Reagan experiment, no evidence from the Bush experiment, no evidence from the Brownback experiment in Kansas, no evidence—that if you cut taxes for the wealthy or the well off, for special interest corporations, whether you do it directly or through passthrough entities, that when you cut those taxes, it results in strong, unprecedented economic growth. In fact, our history tells us precisely the opposite.

Bill Clinton raised the top tax rate on high-income earners from 35 percent to 39.6 percent. Did we suffer from a recession as a result of increasing taxes on millionaires and billionaires so that they would pay their fair share? No, quite the opposite—unprecedented economic growth, 20 million-plus jobs created during 8 years of Bill Clinton.

Then George W. Bush comes into town, and we actually had a balanced budget at that time. What does he do? Deficits don't matter according to the Bush administration. We are going to stimulate tremendous economic growth by cutting taxes on millionaires and billionaires because of trickle-down economics, supply-side economics, dynamic scoring, lower the tax rate from 39.6 on millionaires and billionaires to 35.

What happened? We lost more than 500,000 jobs in 8 years of the Bush Presidency.

Barack Obama comes into town and we had all of these doom-and-gloom projections from my good friends on the other side in terms of what was going to happen. He campaigns on millionaires and billionaires paying their fair share, raises the top tax rate from 35 percent to 39.6 percent. Twelve million-plus private sector jobs were created during 8 years of the Obama Presidency.

That is why I say that the Republican tax plan is nothing more than a Ponzi scheme based on a failed, fraudulent, phony theory of trickle-down economics that has no basis in reality.

I thank the distinguished gentlewoman from Washington for yielding and being so generous and thoughtful in her discussion.

Ms. JAYAPAL. I thank the gentleman from New York for his thoughts.

Once again, I would just draw your attention back to who the real big winner is here in this Republican tax plan. It is Mr. Moneybags.

So if you have got money in bags, millions of dollars, if you are a large corporation, if you are a billionaire, then you are going to benefit from this plan—yes, you will. And you know who is going to pay for that is middle class working families across the country who are going to see their taxes go up, who are going to see their services cut, who are going to ultimately be a part of the plan that has three parts.

The number one part for the Republican plan is transfer trillions of dollars of wealth from middle class America to the wealthiest in the country who don't need it; number two, explode the deficit, because there is no way to pay for this unless you cut a bunch of stuff; and then, number three, cut more. Use the exploding deficit as an opportunity to cut spending even more: raid Social Security; raid Medicare; raid Medicaid.

This is all part of the budget that was passed last week by Republicans. Let me say, there were 20 Republicans who voted against that budget, and I congratulate them for their courage in voting against that budget. It was a close vote. If we had just gotten a couple more, we would have been able to defeat that budget, and we would have been able to at least require a more thoughtful process for how we move forward on tax reform, because part of what that budget vote did is to allow this process to move forward with less democracy, with less vetting, and with less knowledge for the American people.

Once again, I would say that the only reason to do this without a real debate, to rewrite the American economy without a real debate, is if you want to hide who is going to benefit from it. We know who is going to benefit. It is right here. Mr. Moneybags is going to benefit. Working people are going to suffer.

So I know that we Democrats are absolutely committed to making sure that working families across this country, the vulnerable, the low-income, the folks who are struggling every day, who are just making it, who feel like this economy is not working for them because it is controlled by corporations, by lobbyists, by folks who are here not working for the American people but working for their own special interests, we know that Americans want that to stop. Unfortunately, this plan does not do that.

So Democrats are going to fight every step of the way. The Congressional Progressive Caucus is going to fight every step of the way. We have our own People's Budget. We have a real proposal for how to invest in infrastructure, in jobs, in education, in healthcare to make sure that Americans across the country, whether you are in a red State or a blue State, whether you are a Republican or a Democrat, whether you are in rural America or urban America—I actually believe we all want the same things, which is we want to be able to put food on the table; we want to be able to put a roof over our head; we want to be able to go to a job and feel dignity about that job; we want to be able to send our kids to college or to higher education so they can get the skills and training they need and not be mired in student debt—across the country, $1.4 trillion of student debt that we have, even larger than credit card debt—and we want to be able to retire with dignity.

So, ultimately, my friends, what we are going to have to do as Democrats—and I hope that there are Republicans across the aisle who want the same things and who know that this is a bad deal for middle class families, for working families, for folks who are just struggling to make it, who want to have that better deal, better jobs, better future, we Democrats are going to fight for that.

I hope that we have colleagues on the other side of the aisle who recognize that their districts in blue States, red States, urban, and rural will suffer if this plan goes through.

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

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

The Chair would remind Members to direct all remarks to the Chair, and to formally yield and reclaim time when under recognition.

SENATE NEEDS TO TAKE UP HOUSE BILLS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Colorado (Mr. BUCK) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. BUCK. 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 the topic of this Special Order.

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

There was no objection.

Mr. BUCK. Mr. Speaker, I appreciate the opportunity to recognize several distinguished Members of the House for the next hour.

When our constituents show up on the first Tuesday in November to exercise their right of self-governance, they carry with them the dreams of a better Republic.

In 2016, the American people commissioned us with a task. They asked us to fight for jobs. They asked us to fight to fix healthcare. They asked us to roll back regulations. They asked us to secure the free world. They asked us to secure our own borders.

The House of Representatives heard them. We have been busy developing and passing legislation that meaningfully improves the lives of Americans. I commend the Speaker and his leadership in moving these bills through the House.

Unfortunately, much of the House's important work is stalled in the U.S. Senate. It is time the Senate pass important legislation and restore trust in our Republic, because before this week, the House had sent 308 bills to the Senate that are still stalled in that Chamber. This is more than any of the previous four Presidential administrations had stalled at this same time in their first year.

For the record, the House of Representatives in the 115th Congress has also passed more total bills than Houses in any of the last four Presidential administrations at this point. We are at 394 total bills passed.

The dreams of this great Republic cannot be realized by the House alone. The Senate must hear the people and come together around the often bipartisan measures we have been sending to them.

As a way of reminding the Senate, I would like to spend the next hour recognizing Members to discuss some of the important bills passed by the House of Representatives that now sit motionless in the U.S. Senate.

I am thankful for my colleagues who are joining me this evening to talk about the House's successful legislative efforts.

Mr. Speaker, I yield to the gentleman from Iowa (Mr. KING) to talk about the No Sanctuary for Criminals Act, H.R. 3003.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Colorado for organizing this Special Order and recognizing me to address it.

I would like to say at the start of this that the folks that had the Special Order ahead of us had not read the bill that they were expounding upon, and it would be impossible for them to have done so. So I want to remind the body of that, Mr. Speaker, and then address the No Sanctuary Cities Act.

It is this: that we saw what happened in San Francisco when the murderer of Kate Steinle had been deported five times. He was a seven-time felon, five-time deportee. He still came back, and he came to San Francisco because he knew that it is a sanctuary city, and if he got crossways with the law for whatever it might be, sleeping on the street or shoplifting or any of the additional felonies that were brought against him, they were not going to notify immigration officials. They were going to turn him back loose on the streets of San Francisco. If he was taken care of as an indigent, they would turn him loose on the streets of San Francisco.

So Kate Steinle now lies in her grave, her family grieves for her loss, and America felt that pain.

San Francisco is a sanctuary city, and now the entire State of California has declared themselves a sanctuary State.

I think, Mr. Speaker, about the hole in the wall. Butch Cassidy and the Sundance Kid, they had a spot in the canyon there where you had to ride through a notch to get in there, and they posted a guard there. All the bad guys that wanted to get along with the other bad guys in the West went in that place, and if law enforcement came, then they would line up against them and block them from coming in to enforce the law.

That is essentially what we have got going on in city after city all over America: sanctuary cities operating under the erroneous idea that because their cities are so full of illegals, that if they would ever allow Federal immigration enforcement officials to work and cooperate with local law enforcement, those folks might not be in America.

Well, I met with some people today at the Remembrance Project. These are the families who had their family members killed by illegal aliens who are in America. Many of these illegal aliens who killed Americans and killed other illegal aliens and killed people who are here and lawfully present in America, many of them had criminal records. Many of them had been interdicted by law enforcement, but the local jurisdictions decided it wasn't politically correct to cooperate with Federal law.

Well, the Constitution of the United States is the supreme law of the land, and it is an enumerated power that Congress establish an immigration policy. We do that, and we direct that those laws be enforced. The executive branch's job is to do that.

All throughout law enforcement, it has been seamless throughout all of my growing up years. I grew up in a law enforcement family. There was no separation. There was no segregation between city police and county law enforcement officers, the sheriff's department, and highway patrol and DCI and FBI. When there was a crime that was committed, everybody worked together seamlessly.

How is it that these cities and now the State of California have carved themselves out an exception to what has been a timeless, time-honored, established cooperation between all levels of law enforcement?

So the No Sanctuary for Criminals Act, which was my bill, is now sitting on MITCH MCCONNELL's desk with the scores of other bills that the gentleman from Colorado has addressed, and it is one that says there will be no sanctuary cities any longer and that we will be cutting off funds going to these cities until they get the message.

□ 1830

I think it is about time that the Justice Department moved on all of the jurisdiction that they actually have, but we need to help them here in Congress. And it is about time that this bill, along with Sarah's Law and Kate's Law, be moved off of MITCH MCCONNELL's desk to the floor of the United States Senate.

That is just a small piece of the broad picture we are addressing here tonight, Mr. Speaker. We need some action over in the Senate. If they would get rid of that filibuster rule, we would see more action than we are seeing today.

Mr. Speaker, I thank the gentleman for yielding to me, and I encourage him to continue this effort. I am going to stand with him on this. I thank him for all he is doing.

Mr. BUCK. Mr. Speaker, I thank the gentleman from Iowa for his thoughts.

Mr. Speaker, when we learned that Planned Parenthood was selling the tissue of unborn children, America was outraged. Since then, the House has redoubled its effort to pass legislation to protect the unborn.

H.R. 7 and H.R. 36 are two important pro-life measures that have passed the House.

H.R. 36, which would prevent the killing of unborn children who are developed enough to feel pain, passed the House by 237 votes. This legislation has been sitting in the Senate for 31 days.

H.R. 7, which prohibits taxpayer funding for abortion, passed the House by 238 votes. This legislation has been sitting in the Senate for 283 days.

I would like to welcome my friend and colleague from Georgia, Representative JODY HICE, to talk about these two important bills and protecting unborn children. I yield to the gentleman from Georgia.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I sincerely appreciate the gentleman's great leadership in this, and I am grateful to be able to speak on this issue of life.

There have been, as mentioned a few moments ago, some 300, plus or minus, bills sent to the Senate that we have labored here in the House and worked through, negotiated, duked it out, so to speak, gotten ideas on the table, worked it out, sent it over to the Senate, only to see them sit there and do nothing.

Right in the midst of all of that, at the heart of it all, are a couple of very important bills dealing with the issue of life, which is important to all of us. I firmly believe, and I know my colleagues do as well, that all human life at every stage of development is worthy of protection. I am deeply honored and proud of the fact that this House has passed a couple of extremely important bills in that regard.

As the gentleman from Colorado just mentioned, H.R. 7, No Taxpayer Funding for Abortion, by our friend from New Jersey, CHRIS SMITH, and H.R. 36, the Pain-Capable Unborn Child Protection Act, by TRENT FRANKS of Arizona,

are fantastic bills. One basically says that the American taxpayer should not be footing the bill to end the life of unborn children. It has been sitting for over 200 days in the Senate without even a debate.

The other says that, after 20 weeks, when an unborn child is capable of feeling pain, we are not going abort that child in the midst of a period of time where pain is absolutely scientifically proven to be felt. Again, that bill is sitting across the way in the Senate Chamber, and they have not done anything about it whatsoever.

These are important bills. These bills affect lives. Every day that the Senate does nothing, lives are being lost.

The question is: Where is the Senate?

We all sit here and we wait and we wait and we wait. The time has come that the Senate has to take ownership of what the American people elected not only us, but the American people elected them to do, and that is the job, the task, the platform that we all ran on, and at the heart of that is the fight, the battle for life.

I am also proud of the fact that the House, in our appropriations package, defunded Planned Parenthood. This is a promise that we made the American people after the gruesome discovery of how Planned Parenthood was selling baby body parts. Again, we just recognize that life is a gift from God and it is precious and it is to be protected. It is an inalienable right that we as Members of Congress have the responsibility to defend those inalienable rights. Obviously, without the right to life, there, likewise, is no right to liberty, and certainly no right to the pursuit of happiness.

Again, the question is: Where is the Senate on these issues?

It is time that we join together. Again, I thank my friend for having this Special Order and calling on the Senate to deal with this 60-vote threshold that has become an enormous barrier, causing all of us to be dysfunctional in that which the American people sent us here to do.

Our conservative principles, as well as our whole Nation, rests upon us advancing these things that the American people sent us here to do, and at the heart of that is to defend life. I just join in calling on the Senate to deal with this 60-vote rule and move forward on the agenda that we are here to do.

Again, I just thank the gentleman for his kindness in allowing me to speak on this issue, which is important not only to me, but to all of us; and for his leadership on joining us in having a united voice, calling our colleagues down the hallway here to do the job that they were called on to do.

Mr. BUCK. Mr. Speaker, I thank my friend from Georgia for his passionate defense of life.

Mr. Speaker, Americans should be able to go about their daily lives without the fear of nuclear or radiological attack.

Representative DAN DONOVAN's Securing the Cities Act helps equip our cities to deal with these dangerous weapons, providing training and detection resources.

On January 31, the House agreed by voice vote to this commonsense legislation. For some reason, the Senate has failed in the last 276 days to move this bill.

I am proud to have the bill's sponsor, as well as my friend and colleague, DAN DONOVAN, here to share more about this important legislation.

Mr. Speaker, I yield to the gentleman from New York, Mr. DONOVAN.

Mr. DONOVAN. Mr. Speaker, I thank my friend and colleague from Colorado for yielding to me on such an important issue not only to my district, not only to my city, not only to my State, but to our Nation.

Mr. Speaker, I rise this evening to discuss a vital program within the Department of Homeland Security, the Securing the Cities program.

The Domestic Nuclear Detection Office's Securing the Cities program enhances the ability of States and localities to detect and prevent terrorist attacks and other high-consequence events using nuclear and radiological materials in high-risk urban areas through the provisions of training, equipment, and other resources.

Securing the Cities began as a pilot program in 2006 in the New York City region, including surrounding jurisdictions of New Jersey and Connecticut. Since that time, it has expanded to Los Angeles; Chicago; Washington, D.C.; and Houston. Once the program is fully implemented, it is estimated that it will protect nearly 100 million people nationwide, Americans.

Hailing from New York City and representing Staten Island and Brooklyn, I have seen firsthand the positive impact of the Securing the Cities program. Since 2007, our region has purchased more than 13,000 radiation detectors and trained nearly 20,000 personnel.

I had the opportunity to observe an exercise in Brooklyn last year and witnessed New York City Police Department personnel using Securing the Cities-procured equipment to locate and identify hidden radiological sources in a baseball stadium. During the exercise, I spoke with the participating officers and received a demonstration of the different types of equipment they deployed.

This program is making a difference in New York City, and I support its continued expansion. That is why I introduced H.R. 655, the Securing the Cities Act of 2017. This bill authorizes the Securing the Cities program, underscoring our commitment to protecting our major cities from catastrophic terrorist attacks.

As we, unfortunately, saw earlier this week, our major cities, including my hometown of New York City, in particular, remain targets for terrorist groups. We have to do everything we can to ensure the Department of Homeland Security and our State and local partners have the tools they need to address the threats that we face. The Securing the Cities program is one of those tools.

I am pleased that the House quickly passed my legislation earlier this year on January 31. It is now time for the Senate to act. Mr. Speaker, I urge the Senate to move swiftly to approve H.R. 655 to authorize the Securing the Cities program and ensure its continued expansion.

In April 2010, President Obama stated: ''The single biggest threat to U.S. security, both short term, medium term, and long term, would be the possibility of a terrorist organization obtaining a nuclear weapon.''

Since that time, the FBI has disrupted attempts by smugglers in Eastern Europe to sell nuclear materials to extremist groups and criminal organizations. The threat has not abated.

I am thankful for the work of the Domestic Nuclear Detection Office to provide support and guidance to New York City and other urban areas to meet the threats we face.

Mr. Speaker, I urge the Senate to quickly take action to pass the Securing the Cities Act of 2017. Again, I thank my colleague for organizing this Special Order.

Mr. BUCK. Mr. Speaker, I thank the gentleman, a fellow prosecutor and a passionate advocate for these issues, for his remarks.

Mr. Speaker, in the summer of 2015, 32-year-old Kate Steinle was gunned down by an illegal immigrant who had been deported five times already.

Kate's Law, introduced by Chairman BOB GOODLATTE, would enhance the penalties on illegal immigrant felons who are deported and then returned unlawfully to the United States.

This legislation passed the House with 257 votes, a bipartisan coalition of Members who simply want to keep violent felons out of the United States. This bill has been stuck in the Senate for 127 days.

Mr. Speaker, I yield to my friend and colleague, Representative ANDY BIGGS, to talk about H.R. 3004, Kate's Law, and the importance of securing our Nation from violent illegal felons.

Mr. BIGGS. Mr. Speaker, I thank my friend from Colorado, Mr. BUCK, for yielding to me. I am grateful for his leadership as a conservative. It has been my honor to serve with him this past year. I appreciate him sharing some time with me tonight as I share several important stories.

Mr. Speaker, these are stories of real people, not just some people who are distant to us. These are people that we know, people just like this.

Mr. Speaker, one early January morning in 2015, a young man named Grant Ronnebeck began the graveyard shift at a QuikTrip convenience store in my district. After his parents divorce, Grant took the initiative to find a job working at this convenience store

in Mesa, Arizona, to help his family pay the bills. He was only 21 years old. He had his entire life ahead of him.

Just before 4 a.m., an angry customer walked in, demanded a pack of cigarettes, and dumped a handful of change on the store counter. Grant started to count the money, but he saw the customer pull a gun out and point it directly at his head.

Grant tried to immediately hand over the cigarettes in a desperate attempt to save his life, but it was too late. The customer shot Grant in the face in cold blood, took the cigarettes, and casually walked out of the store.

Grant's father describes him as being his buddy from the minute he was born and a person that brightened everybody. He did not leave the store alive that night.

The customer's name was Apolinar Altamirano. He was an illegal alien with a long criminal record, including violent crimes. He was held in Federal custody, but then released while he awaited deportation proceedings. Our government let Grant down when they allowed Grant's killer to walk out of custody and onto our streets.

Altamirano should have remained in custody until he was deported, but he was set free, and Grant was killed due to the government's failure to hold this violent criminal in custody until deported.

Sadly, Grant's story is not unique. Many Americans are aware of another tragic incident, the case of Kate Steinle. Kate was 32 years old. She was walking along a San Francisco pier when an illegal alien shot and killed her. This illegal alien had just been released from prison again. He should have been held until deportation, but he, in fact, had been deported many times previously.

□ 1845

Even then, he was set free, only to kill Kate Steinle.

In 2014, Mesa, Arizona, Police Officer Brandon Mendoza was killed in a wrong-way crash by an illegal alien who was driving under the influence of drugs and alcohol.

And in January 2016, Sarah Root was murdered by an illegal alien who was drunk and drag racing in Omaha, Nebraska.

In each of these cases, Grant and Brandon, I am privileged to know their parents, Steve Ronnebeck and Mary Ann Mendoza. These are fierce advocates who tirelessly work to make sure these types of tragedies never happen to another family. I am grateful for their efforts, and I believe that we are making significant headway to stop these types of catch and release programs that allow criminals to remain on our streets.

In June of this year, the House of Representatives passed H.R. 3003, the No Sanctuary for Criminals Act, and H.R. 3004, Kate's Law, tandemly. These bills would end the policies that contributed to the tragic deaths of Grant, Kate, Brandon, and Sarah.

I was pleased to coauthor the first bill, which included my legislation, Grant's Law. Grant's Law is named in memory of Grant Ronnebeck.

All Americans can agree that someone who is criminally violent should not be released back on to the streets. Yet, for years, the Obama administration's policies failed to protect Americans by allowing criminally violent illegal aliens to roam our streets and neighborhoods.

These types of tragedies are preventable when the Federal Government enacts and enforces the No Sanctuary for Criminals Act and Kate's Law. Congress has begun to take meaningful action to bring these tragedies to an end, starting with the two bills we passed in June.

Chairman BOB GOODLATTE showed leadership and commitment to ensure these important bills received swift consideration. These two bills, if enacted and enforced, would protect innocent Americans to prevent future tragedies like those of Grant, Kate, Brandon, and Sarah.

When the bills passed out of the House, I hoped these bills would receive a swift vote in the Senate. That has not happened. I am still hoping for this vote to take place. I call upon the leadership of the Senate to put these bills up for a floor vote.

We owe it to our constituents to put arcane tradition aside and to pass policies that will protect them. Yet, even in a Republican-controlled Senate, we cannot receive an up-or-down vote on these important immigration enforcement bills.

Why is this?

Mr. Speaker, I firmly believe the answer lies in the fatally flawed 60-vote rule. It is more commonly known as the filibuster, but the Senate's tradition is preventing consideration of nearly all legislation passed from the House.

For example, look at our current situation. Since January, the House has passed over 300 bills, including the two immigration and enforcement bills I have just discussed. These bills will most likely languish until the end of the term, in large part, due to the filibuster rule.

So what can be done about this irresponsible inaction? Well, the Senate can change the rule. Indeed, the Senate must change the rule.

Many people do not realize that the 60-vote requirement is not even in the United States Constitution. It dates back to 1917, when the Senate agreed that debate could be cut off with a two-thirds majority vote. Decades later, when deciding a two-thirds vote was found to be too difficult to achieve, the Senate reduced the number of required votes to three-fifths, or 60 of the current 100 Senators.

The filibuster is a tradition, barely a century old, less than half the age of the U.S. Constitution.

There is a place for rules and traditions, but not when they obstruct the will of American people. Is it honorable for the United States Senate to have a gentleman's agreement to keep bills from being voted on, or to dilute our representation in the United States Senate?

Americans would rather that Congress pass just and reasonable laws than to preserve extraconstitutional, institutional traditions. Americans want our borders secure and our immigration laws to be enforced.

Congress is running out of time to keep its promises to the American people. We promised to ensure that what happened to Kate, Grant, Brandon, and Sarah would not happen again. The House has done its duty. It is time for the Senate to do its duty.

There are no excuses to allow these bills to die in the Senate. I encourage my friends in the Senate to eliminate the 60-vote rule and to consider the two immigration enforcement bills that the House passed in June. We must not allow inaction to be the enemy of our sworn responsibilities as representatives of the American people.

Again, I thank my friend from Colorado. I appreciate the opportunity to say what has been on my mind for some time.

Mr. BUCK. Mr. Speaker, I thank my friend from Arizona for his insight, and I appreciate his comments here tonight.

Mr. Speaker, in 2010, President Obama and Congress passed the Dodd-Frank legislation that attempted to reform Wall Street and end the too-big-to-fail problem. But instead of fixing the financial industry, Dodd-Frank was mainly served to excessively regulate local community banks, making it harder for individuals on Main Street to gain access to credit.

The Financial CHOICE Act, sponsored by Chairman JEB HENSARLING from the Financial Services Committee, replaced Dodd-Frank with a system that holds Wall Street accountable, while also making credit more accessible for Main Street America. The bill passed the House with 233 votes. It has been stuck in the Senate for 148 days.

I yield to the gentleman from West Virginia (Mr. MOONEY), my friend and colleague, who sits on the Financial Services Committee, to talk about H.R. 10, the Financial CHOICE Act.

Mr. MOONEY of West Virginia. Mr. Speaker, I thank my colleague from Colorado, Mr. BUCK, for leading this Special Order effort and for recognizing me to talk about this issue and the general problem in the Senate today of having legislation considered, debated, and passed in a way that we can go to conference committee.

As the gentleman mentioned, the Senate has already failed to act, and is currently failing to act, as we stand here, on over 270 House-passed bills. One of those bills is a really important one, very important to the committee on which I serve.

I am proud to be on the Financial Services Committee. The tradition of

that position was held by my predecessor, SHELLEY MOORE CAPITO, who served on that committee for 14 years. Ably led by Chairman JEB HENSARLING from Texas, we work in a bipartisan fashion, as much as we possibly can, to bring relief to the American people, give consumers choices in banking products, and the ability to get a small loan or get a mortgage for their house. We are doing very important work there.

So, as was mentioned, on June 8 of 2017, this year, here, the U.S. House of Representatives, where I now stand, passed H.R. 10, the Financial CHOICE Act, by a vote of 233–186. I was very proud to vote for that legislation, as I know were a lot of my colleagues.

The Financial CHOICE Act, if you are not familiar with the bill, after the financial crisis in 2007, Democrats held all the Chambers in the House, the Senate, and the Presidency, and they passed sweeping legislation that fundamentally changed the way our economy works for the worse; much more interference in your lives in banking, and the ability to make loans and consider requests for bank loans were done.

Basically, Dodd-Frank is to the financial services industry what ObamaCare is to the healthcare industry. It is a government-knows-better, one-size-fits-all, federally mandated set of laws that have hurt the very people they claim they want to help. It hurts the same people they want to help. So we are repealing most of that, and we are going to empower consumers, give you the choices back.

So we have passed this bill. Let me just give you one example of something in the bill, to be specific. There was something that was designated in the Dodd-Frank bill called too big to fail. You may remember that term, ''too big to fail.''

That is a situation where Washington bureaucrats had decided that certain banks—the theory is that they are so essential to the global economy that failure would be catastrophic. So it takes the ability to fail out of the banks' system, which then makes them act more risky. Big does not necessarily refer to the size of the company, just what the government decides is essential, too big to fail.

So the first bank that was too big to fail was Bear Stearns. In March of 2008, the Federal Reserve lent $30 billion to JPMorgan Chase to buy the failing investment bank. Bear was a small bank, but very well-known, and there was a worry that it would destroy confidence in other banks. So your tax dollars were used to, essentially, bail out banks.

So this bill repeals the authority of the Financial Stability Oversight Council to designate firms as systematically important institutions. It prohibits the use of Exchange Stabilization Funds to bail out banks. Most Americans I talk to don't think their taxpayer dollars should be used to bail out banks, so this bill would stop that.

So we passed that bill. We sent it to the Senate. We didn't think the Senate would pass the exact same bill, word for word, that the House passed. We thought they would consider our bill, take the parts they like, maybe change some parts, maybe add some parts, or move some parts, pass a bill in the Senate, and then we would go to a conference committee to reconcile the differences.

One of the biggest travesties I have seen around here of the political process, Mr. Speaker, is the failure to have conference committees in the Congress any longer. The House passes all these bills, over 300 over there; 270 are waiting for the Senate to do anything on. Anything. And we wait for the Senate to act so we can have a conference committee and reconcile the differences.

It is important to understand that no one in the House is demanding they get their way on every bill, every provision, all the time. We simply want to have a product sent to the Senate, have the Senate do their job, do their due diligence, pass legislation in whatever form they can get out of the Senate, and have a chance to go to conference committee, reconcile the differences.

There is some give-and-take there. They won't get everything they want. We may not get everything we want. You can reconcile those differences, and it has to go back and pass again.

Over the past 3 years, my third year in Congress now, I have taken to reminding folks things they learned in fifth grade, in fifth grade grade school, about how I am just a bill sitting on Capitol Hill, and how it is supposed to go to one Chamber; then it is supposed to go to the other, and they appoint a conference committee to reconcile the differences.

Instead, as the previous speaker, Congressman BIGGS from Arizona, mentioned, the filibuster is abused. You have 48 Democrats in the Senate who filibuster everything. Everything. And for some reason, my colleagues on the majority side of the aisle, the Republicans, don't put the bills on the floor to make the American people see them filibuster, and obstruct, and shut down, avoid conference committees, avoid passing anything in the Senate that would require action, and, therefore, just stop anything from happening. It is a travesty of the political process.

Neither Republican nor Democrats should stand for such an abusive system in the Senate. So I think we should put the bills over there and make them act. We have actually started passing pieces of the CHOICE Act, one small bill at a time, in order to get other stuff over to the Senate, in the hope that they will just do something, act on something.

But we shouldn't have to do that, frankly, Mr. Speaker, because the Senate can simply pass any bill they want, or any Senate bills they want, and then we can consider it in the House as well. We have led by passing the CHOICE Act bill, which is the right thing to do.

You know, as disappointing as it was to see the U.S. Senate fail to pass anything on healthcare, maybe the one silver lining was the American people could finally see what happens if three Republicans join with 48 Democrats to vote against the bill. We did not have the votes to pass anything on healthcare, and the whole healthcare reform plan died at that moment.

We are sitting here today with a failing healthcare system that is going to continue to fail. ObamaCare is going to continue to fail. It is not getting any better. It is getting worse.

Look, our bill wasn't perfect, Mr. Speaker, but at least we did something in the House to address the problem. I am not saying this bill is perfect, the CHOICE Act for financial services, but we are doing something to address the problem that consumers are demanding, where they can have more choice and more access to funds to buy a home or start a small business. We are doing something about it, and the Senate is doing nothing. They don't pass anything.

In fact, we have passed all 12 appropriations bills in this Chamber. All 12 are sitting over there in the Senate, waiting for someone to act.

I think the first thing they should do is bring up the military funding bill. We are in November already. In December, next month, funding runs out. We have passed our appropriations bills. The Senate is doing nothing on appropriations bills.

They should bring that military bill to the floor of the Senate, right now, and have a vote. It passed this Chamber with a strong, bipartisan majority. Funding the military is not a partisan issue. There are votes, I believe, in the Senate and the House to fund the military.

But if the 48 Democrat Senators want to filibuster, abuse their power, abuse this filibuster tradition, which was mentioned is not in the Constitution, it is simply a courtesy extended to the minority party; if they want to continue to abuse that power, the American people should see them, ruthlessly, politically, try to shut down the military, and then try to blame the President or blame the House when they won't pass anything.

They should pass a military appropriations bill that helps fund our troops. We will reconcile the differences and send it to the President's desk. That, ladies and gentlemen, is how the process is supposed to work. That is what kept our democratic republican form of government, constitutional form of government, with democratic elections, the rule of law, a republican constitution; that is what has kept our country, to this point, functional and working well, having that bipartisan, bicameral process.

What is currently happening is really a travesty to this process, where it is being abused by the Senate. They have all these bills over there. It is high time for them to take action, pass

something, pass the best product they can on this issue, and let's go to conference committee and reconcile the differences.

□ 1900

Mr. Speaker, I urge the Senate to act as quickly as possible on the CHOICE Act, on whatever provisions they want to. We are trying to repeal the Consumer Financial Protection Bureau. Another part of that, the fiduciary rule, has really hurt consumers. These are other parts of the CHOICE Act that need action. The American people need and expect relief.

Mr. BUCK. Mr. Speaker, I thank the gentleman from West Virginia for his services on the Financial Services Committee, a demanding committee and a committee that he has certainly shown his brilliance on. So we appreciate his work very much.

Mr. Speaker, with rising premiums and sky-high deductibles, Americans are hurting under ObamaCare. Republicans talk a lot about increasing competition in the healthcare market, and this next bill actually makes that talk a reality.

H.R. 372, the Competitive Health Insurance Reform Act restores Federal antitrust laws to the health insurance industry, ensuring that the market for health insurance remains competitive and affordable for Americans.

On March 22, the House passed this legislation in an overwhelmingly bipartisan fashion, and 416 Members voted for it. It is 226 days later, and the Senate can still not move that legislation through its Chamber.

I yield to my friend and colleague, the gentleman from Arizona (Mr. GOSAR), to say a few words about this bill that he sponsored.

Mr. GOSAR. Mr. Speaker, I thank my friend from Colorado (Mr. BUCK) for taking the opportunity to highlight some of the good work the House has accomplished this year. I urge my colleagues in the Senate to build on these accomplishments so that Congress as a whole can keep their promises to the American people.

As Congress continues to face the preeminent task of repairing our Nation's healthcare system, first and foremost, we must establish the proper foundation for a competitive and consumer-driven health insurance marketplace. The Competitive Health Insurance Reform Act of 2017 will restore the application of Federal antitrust and competition laws to the health insurance industry.

Ending the special interest exemption is the first step to broader healthcare reform. Popular cost-reducing reform priorities, such as selling insurance across State lines and developing diverse consumer-driven plans, are predicated on the robust competitive markets this bill will ensure.

The McCarran-Ferguson Act of 1945 exempted the insurance industry from the Sherman Act and the Clayton Act, acts that have the purpose of ensuring fair competition. This broad exemption was intended to assist the newly developing business of insurance so that those companies could set sustainable premiums by permitting data sharing between insurance companies.

However, after 70 years, it is apparent that the broad-stroked exemption created by Congress in the 1940s was not wise. Over the decades, and expeditiously since the passage of ObamaCare in 2009, the health insurance market has devolved into one of the least transparent and most anticompetitive industries in the United States.

It is clear that the continued exemption of the health insurance industry from the full application of the Federal antitrust laws has had an unfair impact on consumers. It shows up as artificially higher premiums, unfair insurance restrictions, harmful policy exclusions, and simply no diversity of choice.

These antiquated exemptions are no longer necessary. There is no reason in law, policy, or logic for the health insurance industry to have special exemptions that are different from all other businesses in the United States.

Repeal of the specific section of the McCarran-Ferguson Act, which applies only to health insurance, has strong bipartisan support. A form of this legislation passed the Democratic-controlled House during the 111th Congress by a vote of 406–19 and passed the Republican-led House in the 112th Congress by a voice vote.

Similar legislation has been introduced by multiple Democratic Members of the House, and the text of my bill has been included in the Republican Study Committee's healthcare reform bill for the last four Congresses in a row.

In March of this year, this pro-market reform received its biggest show of support yet, passing by an overwhelming majority of 416–7. Now, when 416 Members of the House agree, it sends a strong call to action in the Senate.

As a dentist, I know how important robust competition is to dynamic and effective health insurance. It should protect the patient as well as the healthcare provider. It should uniformly apply associated checks and balances that incentivize competition and prevent monopolies. Today, in the healthcare market, those equally applied antitrust protections just simply don't exist.

I don't have a crystal ball that will tell you what the future holds for healthcare or what it will look like. I don't think anybody knows. But I can tell you that history is an important guide. The 70-year antitrust exemption for health insurance has strangled competition and resulted in a consolidated, anticompetitive, and nontransparent scheme controlled by seven megacorporations. That is not what we want for our future.

Instead, let's liberate the market by removing this antitrust exemption. Imagine what could exist when we put the patient first and demand that health insurance companies compete for their business. This market should be patient-centric, patient-focused, and provide a variety of affordable, quality options that empower patient involvement and accountability.

The passage of the Competitive Health Insurance Reform Act into law is an important first step toward increasing competition in the health insurance market and will assist in setting the foundation for real competitive and patient-centered healthcare reform.

I thank my friends in the House for their strong support, and at the same time, promises were made in the Senate to get a vote on the Senate floor. I urge my colleagues in the Senate to build upon the good work of this Chamber and do their part to restore competition in the health insurance industry.

There is an old saying: Trust is a series of promises kept.

Keep the promise. We are watching.

Mr. BUCK. Mr. Speaker, I thank my friend from Arizona, especially with his healthcare background. I know he has said on many occasions that he is a dentist impersonating a Congressman. Right now I feel the same way as a prosecutor impersonating a Congressman, and I appreciate his friendship and great insight.

Mr. Speaker, I would like to now invite my friend and colleague, Representative TED POE, to speak about the Email Privacy Act. This legislation clears up a loophole in the Electronic Communications Privacy Act, or ECPA, that allows the government, after a certain amount of time, to search someone's email if it is held on a third-party server.

The ECPA was passed in 1986. For the past 30 years, our technology has drastically advanced, but our electronic communications policy has been stuck in the 1980s. The Email Privacy Act allows the law to catch up with the tech. This bill simply requires the government to have a warrant if they are going to search your email.

This legislation passed on voice vote. After 269 days, the bill still sits in the Senate Judiciary Committee.

I yield to my friend and colleague, the gentleman from Texas (Mr. POE), to speak about this important legislation.

Mr. POE of Texas. Mr. Speaker, I thank the gentleman from Arizona (Mr. BUCK) for yielding and for doing this Special Order.

Most Members of Congress agree, I believe, that the Constitution should be followed. There are certain rights in the Constitution that are very, very important to all of us. One of those is the right of privacy, enumerated specifically in the Fourth Amendment.

The Fourth Amendment is unique to America. Other countries don't have the Fourth Amendment. We have it in the United States to protect the privacy of Americans.

Let me give you a little history.

As Congressman BUCK pointed out, back in 1986, which was an eternity ago when you start talking about the digital age, Congress passed legislation to protect the emails that people had on their server for 6 months. The idea was that people wouldn't keep their emails. They would delete them, and 6 months was a good enough time to protect those emails from the spies in our government—I will use that phrase, that is my phrase—and that is the current law. But here is what has happened over that 30 years.

Many Americans stored their emails after that 6-month period. They store them in the cloud, for example. Americans store their schedules in the cloud. They store photographs in the cloud.

When Americans store those items that are over 6 months old in the cloud, they are not protected against the search by our government of that email, of those photographs, of that schedule. In fact, searches can take place without the knowledge of the person whose email is being searched, without the approval of that individual, and the government never notifies that individual that that email stored in the cloud was searched because, under current law, the American citizen is only protected for emails stored on their server up to 6 months.

So after about 4 years of working on this legislation with my friend ZOE LOFGREN from California, bipartisan, we presented to Congress H.R. 387, the Email Privacy Act. As Congressman BUCK said, on February 7, to be exact, of this year, that passed by voice vote on this floor, and we sent it down the hallway to the siesta Senate to take a vote over there, and they have yet to vote on it.

So what does that legislation do? It protects the right of privacy of Americans. It requires government to follow the Constitution.

I was a former criminal court judge in Texas for 22 years. Like Mr. BUCK, I was also a prosecutor in the DA's office in Houston.

The Fourth Amendment of the Constitution—remembering that this is unique to America—protects Americans, their persons, their houses, their papers, and their personal effects from the intrusion of government unless government has probable cause and government gets a search warrant. That is the law. That is the Fourth Amendment.

If government has a probable cause, go get a warrant from a judge. I signed hundreds of warrants from law enforcement as a judge.

A simple example: the government can't search our mail, snail mail as it is now called. When you put a letter in the mailbox and the postmaster picks it up and sends it across the fruited plain and it lands in somebody else's mailbox, government cannot generally go into that letter and seize it for any purpose unless they have a warrant to do so.

There are some exceptions, but government can seize your emails after 6 months if they are stored in the cloud, as I already mentioned, without a warrant. So this legislation basically requires government to follow the Constitution.

We have heard about the widespread abuse—that is my opinion—of the NSA over the last several years, the government agencies that felt like they had a blank check to search and seize Americans' information without their knowledge, without their approval, and without a warrant. This legislation goes to prevent that and simply requires that information stored in the cloud—emails, photographs, schedules, or whatever—the government can go get it, but the government has got to get a search warrant to seize that information.

That is what this legislation does. It protects the Fourth Amendment. It protects Americans. It is simple legislation. It passed the House on voice vote, yet the Senate refuses to protect Americans from unlawful searches without the knowledge of Americans. We need to pass the legislation that ZOE LOFGREN and I have sponsored that has passed the House to protect that basic right.

Mr. Speaker, I think our Senators would all vote ''yes'' for the legislation. They believe in the Constitution like the rest of us. They believe in the Fourth Amendment like the rest of us.

So let's get a vote. Another piece of legislation the House has passed. We have done our job. We want the Senate to follow up and pass this good legislation to make it the law of the land so Americans are more secure in their papers and their effects and their homes.

And that is just the way it is.

□ 1915

Mr. BUCK. Mr. Speaker, I thank the gentleman for his hard work and persistence on this very important issue.

Mr. Speaker, this year, the House completed all 12 appropriations bills. It is the first time in decades that that has happened. I am proud that our Chamber worked hard to return to a regular appropriations process, and I can tell you that there were many late nights spent looking through amendment after amendment both in the Rules Committee hearing room and on the House floor. We thoughtfully considered these bills and offered them for votes on the House floor.

But the Senate hasn't approved any of these 12 bills. Not one. Republicans, month by month, crisis to crisis, were appropriating of the Obama administration era. But now Republicans are in charge, and without Senate action, we are staring down the barrel of another omnibus or continuing resolution. This isn't fair to the American public.

The Founders gave to Congress the power of the purse so that 435 men and women in this Chamber and 100 men and women in the Senate Chamber can spend weeks at a time thoughtfully discerning how to spend taxpayer dollars. That is our job. The House has finished its work for this year, and now we beg the Senate to finish theirs.

The House has done good work. We have listened to our constituents, worked with our stakeholders, and met each other in the middle on many bills. Now we are left just talking about these great bills because they are all stuck in the Senate.

I want to take a minute in closing to remind the Senate why we are here and why the voters offered the Republican Party control of both Chambers and the House.

We are here because Americans want fewer regulations. We are here because Americans want lower healthcare premiums and costs. We are here because Americans want a stronger stance against the world's bullies. We are here because Americans want a respect for the rule of law. We are here because Americans want our veterans to have the best care. We are here because Americans want better access to credit. They want to protect unborn life. We are here because Americans expect us to improve their lives, to work on meaningful legislation that limits government, that stewards taxpayer dollars effectively, and that guards family values.

Americans should know that the House of Representatives has heard them. We have passed bills to address these concerns. Now we turn to the Senate and ask them to do the same.

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

The SPEAKER pro tempore (Mr. LEWIS of Minnesota). All Members are reminded to avoid engaging in personalities toward Members of the Senate.

TAX REFORM

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 to be here this evening on the floor of the United States House of Representatives and talk about a timely issue that is an issue that is most important to most of the American people, and that is the issue of the economy, globalization, automation, and all of the issues that are coming down on many communities across the United States.

I want to take this opportunity to spend the next 30 minutes walking through for the American people a little bit about what has happened and talk very clearly about the differences in approach on how we deal with these issues, how the Republican Party is trying to deal with these issues, and how those of us on the Democratic side want to deal with these issues.

I don't want to get into a discussion at all, Mr. Speaker, about who hates whom, and who is bad and who is good,

and who is this and who is that. I want to talk about the facts, I want to talk about the historical facts, and I want to talk about what is happening to average families across these United States.

Clearly, given the volatility of the elections over the past 15 years or so, I would argue that most of those elections have been about the economy, and that most of those elections have been about wages, pensions, security, and stability for families.

My district is from Akron, Ohio, over to Youngstown and points in between, right up against the Pennsylvania border. And what we have seen over the last 20 or 30 years—for a while you think that all of this is just happening to your community, and then you realize as you read and travel, you begin to see that, unfortunately, most communities are facing very similar circumstances as the ones that I represent.

So here on this chart we have an outline of what has happened in communities with regard to foreign trade and automation. The red are the States that have been hardest hit. As it moves from red to brown to purple to blue, and then a lighter blue, red is the most down to the least affected by globalization and automation.

You will see on this chart the industrial Midwest, you will see up in New England, you will see down South, you will see as you move more to the central part of the country and then up into the Northwest, the hardest hit are manufacturing States, and the hardest hit by globalization and automation are the Deep South.

So the big question facing the United States of America today in 2017 is: How do we fix this problem?

These are States that have had significantly lower growth, and they have been hit hard with wages that have been stagnant for close to 30 years. We have seen an erosion of their pensions.

So what are we going to do about this?

The topic today in Washington, D.C., is the issue of tax reform. So we talk about tax reform in the context of the last time we had tax reform, 31 years ago. Mr. Speaker, since then, we have seen that 96 percent of income growth has gone to the wealthiest 10 percent of families in the United States. So in 30 years, 96 percent of income growth in the country—almost all of it—has gone to the top 10 percent. So the average family is getting squeezed.

When you look back at the elections going back to, I think, 2006—I thought 2004—2002 and 2004 were going to be elections about the economy, too, but after 9/11, that had an impact on what the national conversation was about with regard to our elections. But I would argue—and I have been here since 2003. I would argue that, in 2006, that election putting Democrats in was about the economy.

I would say that 2008, during the Presidential election and, again, for Congress, was about the economy. We had a complete collapse. The American people didn't think the Democrats fixed things fast enough, so in 2010 they put the Republicans in Congress. In 2012 things were getting better, and the election went for President Barack Obama, thinking that he was moving things slightly in the right direction. But they thought he would probably be better than Mitt Romney, who would have let the auto industry collapse and who was perceived as being more in line with the financial institutions in the United States. So they voted for President Obama.

Then in 2014, President Obama wasn't doing things fast enough, still the squeeze, and then obviously in 2016, America voted for President Trump, thinking that he was promising expansion of healthcare, opening up the coal mines and opening up the steel mills. He was going to get the economy back, he was going to do it. It was going to be beautiful, and he was going to do it with the waving of a magic wand. It was going to be easy. So all of those elections were about the economy.

So we still have this squeeze happening in the United States. We still have 63 percent of American families who could not withstand a $500 catastrophe in their family with their car, with their health insurance, with someone's health in their family, or with an accident. $500 in an emergency would send 63 percent of the families in the United States spinning out of control.

We see with pensions, for example, that the average person 65 years-plus only has $60,000 in a 401(k), which means they can drop out $3,000 a year—not a month, a year—out of their 401(k) for 20 years. Their average Social Security is a little over $1,000. Their pension isn't much. And all of this averages to about $25,000 a year. So you are squeezed with your pension. You have had stagnant wages. You don't have much of a savings. And most families can't withstand even a $500 emergency.

This constant squeeze over the last 30 years from globalization and automation has put many of the communities on the last chart behind the eight ball, unable to get and keep their nose above water for them and their families.

So our job is to figure out what the heck are we going to do about that. So the Republicans today proposed a new program of tax cuts. Here is what their tax cuts look like. Remember, I said 96 percent of income growth over the last 31 years went to the top 10 percent. So the Republican plan—again, we are not mad at them. This is just what they think is going to work.

Their idea is: Why don't we give a tax cut to people making more than $1 million a year? They will see a good chunk of the tax cut. The next group, people making between $500,000 and $1 million a year, will see the next part—the biggest chunk of the tax cut.

So the people who are making all of the income gains over the last 30 years, that huge concentration of wealth in the last 30 years, the Republicans think if we give them a tax cut, then they are going to take that tax cut, and it is going to trickle down to those red States that I had up here earlier in the industrial Midwest, in the South, moving into the central part of the country, and in the New England States that aren't really surrounded and based on finance. Let's give them a tax cut and hope it makes its way and trickles its way down to Youngstown, Ohio. That is their solution. That is what they think is going to work.

So let's ask ourselves: Have we tried this before?

We have. When I was early in my career, we tried this approach of supply-side economics. We are going to cut taxes for the wealthy. They are going to take that money. It is going to make its way back into the economy, and it is going to get wages up, secure pensions, and all the rest.

So with the Republican plan, they have done things to do that. Not just cut taxes for the wealthy, they get rid of the alternative minimum tax, which means no matter how many loopholes you are able to take advantage of, there is a minimum you are going to have to pay. And if they get rid of that minimum tax, and if that minimum tax wasn't in place a few years back, President Trump would have reduced his tax burden by $30 million—just so we can wrap our heads around this stuff.

Under the plan that they have now, the top 175,000 richest families in the country will see a $700 tax cut. That is their plan. We really can't afford it because we have got to borrow $1½ trillion to pay for all this stuff.

So that is where we are. That is their solution. Huge challenges with the middle class, huge challenges with pensions, huge challenges with wages and retirement and cost of healthcare and education, and their plan is to cut the taxes for the wealthy and hope it helps everyone else. That is their plan.

We have tried this before. When President Bush got in, there were two rounds of tax cuts that he passed in the early part of the first decade of this century. He gave most of the taxes, in the same way, to the top 1 percent of earners. They got a huge chunk of what we called the Bush tax cuts.

□ 1930

That was their strategy back then.

What happened in that decade following the Bush tax cuts?

Well, we see that, after the Bush tax cuts, we had the slowest economic growth in the United States post-World War II, the slowest growth across the board in the United States. They cut taxes for the wealthiest in the hopes that it would somehow help the economy. They also deregulated the financial markets because that was going to help, too.

So what happened was that we had very low growth: employment only increased by 0.3 percent, and the real

GDP only grew by 2.6 percent; wages were stagnant.

As we all remember, in 2007 and 2008, things started to unravel in the economy, and we had a huge collapse in the housing market that was deregulated. We didn't have any cops on the beat watching what was going on.

Stagnant growth ends in the collapse, and then Democrats came in and, quite frankly, fixed the problem, stemmed the tide, and did what we did. That is a whole other story.

The whole idea that cutting taxes for the wealthy is really going to bump employment and really bump GDP growth is shown in recent economic history to not be true.

Now, what do we have to compare this with?

If we go back another decade to 1993, when President Bill Clinton got into office, he had a different strategy and the Democrats had a different strategy. We started to run up the deficits coming out of the eighties. We had to get our financial house in order.

President Clinton came in and raised some taxes on the wealthiest people in the country, not because we don't like them, but the country needed revenue. We reinvested that money, balanced the budget, and what happened? A totally different strategy than our friends on the other side—right?—totally different. What we saw in the 1990s was employment at 2.4 percent, and we saw real GDP growth at 3.7 percent.

The red is the Bush tax cut that we have already tried in the historical analysis of that, ending in a financial collapse and stagnant wages. What we saw with President Clinton's economic plan is real growth, and we saw an improvement in employment. Wages went up in every single bracket, from the poorest to the wealthiest. Everybody made more money. We had a balanced plan on how to do it.

When we look at what happened with the Bill Clinton plan—oh, by the way, it ended the decade with a $5.6 trillion surplus. That is a $5.6 trillion surplus that we had here in the United States that, when President Bush got in, he gave it all away in tax cuts. I just told you that story.

What the Democrats are saying is kind of what President Trump was saying during the campaign. There has been this huge concentration of wealth at the top, and they have seen all the income gain.

We have got debt and deficits to pay for. We have got to rebuild the United States. We have got to lay broadband in every corner of the country. We need a new energy grid. We need a resilient economy to prepare ourselves for the storms and the hurricanes and the ups and downs from climate change. We have got to reinvest back into our neighborhoods. We have thousands of blighted homes in communities all across the United States that need to come down.

What we are saying is: Don't borrow $1.5 trillion from China and then take the money that you are borrowing from China, pay interest on it, and give it to primarily the top 1 percent of the wealthiest people in the United States. That doesn't make any sense.

In good times, I don't know if that makes any sense, but certainly not when we are already running huge deficits, not when we have the baby boomers moving into our healthcare programs for the elderly, not when we have an opioid epidemic where we lost more people in 1 year, last year, than we lost in the entire Vietnam war. That doesn't make any sense.

We have got to rebuild the country. We are competing with China. We have to make sure that our military is equipped, our students are educated, and that we are investing in research and development to develop wind and solar, the next generation of renewable energy, the next generation of jobs.

And we are borrowing money from China to the tune of $1.5 trillion to give to the wealthiest people in the country? Does that make any sense?

Mr. Speaker, it does not.

This is the most irresponsible tax proposal I have seen. I will even say it is more irresponsible than the Bush tax credits. At least with the Bush tax credits, we had a $5.6 trillion surplus. Many of us were saying to put that into Medicare, put it into Social Security. In the Al Gore campaign, it became a joke: Put it in a lock box; don't touch it; save it for a rainy day.

A few months later, 9/11 happened, and we could have used some of that for the next decade. We could have rebuilt the economy, moved the economy forward, reinvested it back into the United States. At least we had it coming.

The economy was growing and President Bush said: Well, we will give it back in tax cuts primarily to the rich.

Now we don't even have it. Now we are going to go out and borrow it and bring it in from China and say: Okay, China, we will owe you another $1.5 trillion because we don't owe you enough already. We are not going to give it to the middle class, who has not seen a pay raise for 30 years. We are going to give it to the top end.

I just think this is very irresponsible for us as we are trying to get the economy to work for everybody and we have all of these challenges that we are trying get our arms around here in the United States that will take some public investment.

I am not here to say that the government can solve all of our problems, because it can't. I am not saying that every solution is about writing a check from Uncle Sam and putting it into a program, because it is not. But what we do have to do is make some investments on the public side that are going to allow for growth.

When you talk about things like broadband penetration to make sure that rural America or small towns or certain parts of our cities have access to high-speed broadband, high-speed internet access, you will see that, for every 10 percent penetration, you see, I think it is, 1, 1.3, 1.4 percent growth in the GDP. It sounds like a pretty good investment.

So let's figure out how we can do a public-private partnership with the telecommunications companies and the public to make sure that we have high-speed internet access all over the United States. Let's sit down with the power companies, the energy companies, and figure out how we redo our energy grid so that we can have a 21st century, efficient, secure energy grid.

And, oh, by the way, ask all of these people who are underemployed today to help us build out this new America. Whether it is broadband or the energy grid, it is in the ground. These jobs can't be outsourced. The same with renewable energy. Many of the jobs related to renewable energy cannot be outsourced. These are the investments we need to make.

Again, we are competing with China. This, my friends, is a very important point. When you look at what China is doing militarily with North Korea, not helping as much as we want them to, moving out, actually building islands in the South China Sea, further projecting their force, moving into Africa, already in Africa, establishing bases in Africa, building relationships, getting minerals and other resources out of Africa, moving ahead with battery-powered cars in China and here, moving and spending $360 billion on renewable energy initiatives by 2020, creating 13 million jobs, China is on the move.

What are we doing? What does the Republican Party want to do? What does the Trump administration want to do, Mr. Speaker, while China is investing billions of dollars in renewable energy, creating 13 million new jobs? This genius idea is to go and borrow $1.5 trillion from them and take it and give it to the wealthiest people in the United States in the form of a tax cut that they don't need.

We are going to further position ourselves behind them in the race for the green economy. This could mean jobs in places like Youngstown, Ohio, investments in places like Youngstown, Ohio, driving up wages in Youngstown, Ohio, increasing and securing pensions in these industrial States and in the South. That, to me, makes sense. That, to me, is a smart plan.

So, Mr. Speaker, I am deeply frustrated with this tax cut. I think it is irresponsible. I don't think it makes economic sense. As we start to peel through it, other than the big picture of $1.5 trillion that we are going to borrow from the Chinese to pay for it, they are going to get rid of people's ability to deduct student loans. Medical emergencies will no longer be deductible.

They are providing instability in the wind sector with the wind tax credit, which has about $50 billion in investments. About 50,000 jobs are at stake and 500 factories participating in this new economy.

There is a way to do this. There is a way to be smart. We can't let our ideology determine our public policy if it doesn't make any sense. If we can have a balanced approach, we pay for the spending; and because of the situation we are in, we ask the wealthiest in the United States to help us pay for this because they have seen 96 percent of the income growth over the last 30 years.

If we do it right and we do it smart, we will position the next generation of Americans to be in an economy that they can thrive in, that provides stability for them, security for them and their families, and it will also help us deal with the great challenge of our time: global climate change.

Mr. Speaker, I hope that, as this process moves forward, we recognize that this tax cut bill is not the solution to the economic problems. It has gone against what the President of the United States campaigned on, and I believe it is the very betrayal of his campaign, a betrayal of what that campaign meant to so many people, and a betrayal of those very people whom he said he was going to help.

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

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ISSUES OF CONCERN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from California (Mr. ROHRABACHER) for 30 minutes.

Mr. ROHRABACHER. Mr. Speaker, our American way of life and our Judeo-Christian values are under attack as never before. People understand that there is the threat out there, but perhaps the magnitude keeps coming home of how bad and what a great threat it really is.

Radical Islamic terrorists with a backward, evil, 7th century view of the world are out to destroy and kill us. They seek to terrorize Western countries and Americans, in particular, into retreat.

Well, instead, we must stand tall. We must have the courage to do what is necessary because it does depend on us, as it always has been. As when Nazism and Japanese militarism threatened the world, it was the United States that carried the day for the decent people of the world.

When communism threatened to establish atheistic dictatorships throughout the world and was on the march, yes, it was the American people who stood strong and had those policies necessary to hold off the communist menace until it collapsed, basically, of its own inconsistencies and its own evil nature.

Well, we had great leadership at those other battles, and I say, thank goodness that today we now have a President who actually can speak the words against and condemn this horrible force that threatens our country and the people of the world.

Yes, we have a President who can actually say those words, ''radical Islamic terrorism.'' For 8 years, we had a President who couldn't use those words, much less do those things that were necessary to defeat this threat and to make sure our people were secure.

Some, if not many, of our leaders have been afraid to confront the basic nature of those who have made repeated terrorist attacks and assaults. Anyone who is not signing on to their fanatical religious agenda becomes a terrorist target, not only Christians, but Jews and other Muslims.

President Trump is, at long last, providing the courageous leadership in this historic battle. Congress needs to support our President. We need to stand with him and to stand united against this evil, and yes, defend ourselves. We must not be afraid, and we must not only defend ourselves but also do what is necessary to defeat and extinguish this ghoulish adversary and end his bloody assault on Western civilization, and yes, on moderate Islam.

Words are not enough. Our homeland is under attack; people are in danger; our families, our country, and our way of life are under attack. These attackers come from many countries, both men and women. But in common—these people who have been murdering people and the mayhem they have been creating throughout the Western world, whether it is in France or in the United States or elsewhere, these men and women who participate in these evil acts of terrorism have something that they have in common. They all pledge allegiance to radical Islam.

That is our enemy, not Islam, not Islam itself, but the radical fanaticism that terrorists and the Islamic psychopaths that are out there murdering in the worst possible and ghoulish ways, people, in order to—yes, in order to have—to shock us and in order to intimidate the West into retreat.

This week, a 29-year-old Uzbek immigrant plowed a truck into people walking and cycling in a New York City pathway. He killed 8 people, and he proclaimed that he was inspired by Islam. In fact, he said he was proud of what he had done and even requested the display of his Islamic state flag in his hospital room.

We need to ask ourselves: Why are we allowing Islamic terrorists like this into our country in the first place? How much longer will we close our eyes and bury our heads in the sand?

We have even witnessed horrendous terrorist attacks even in my home State. We know that. We have seen it. On December 2, 2015, in San Bernardino, 14 innocent and wonderful people were brutally slaughtered and 22 seriously injured by an immigrant from Pakistan—a hotbed of radicalism. And yes, his motive was his fanatic belief in what he considers to be Islam. It was truly one of the most evil attacks in our State's history.

In Orlando, on June 12, 2016, 49 nightclubbers out having a good time, enjoying themselves as Americans—life, liberty, and the pursuit of happiness—they were having a good time, and 49 of these nightclubbers were brutally murdered and mowed down.

All of these innocent lives were slaughtered. Americans who were blown apart at the Boston marathon is no different.

We have American victims staring us in the face saying: What are you going to do to bring justice and to protect the Americans that we left behind, our families? These horrific crimes of cowards mirrors what has happened to innocent people throughout the world.

Yes, we Americans are suffering. And as I say, we have seen it in France, we have seen it in Europe, we have seen it in Muslim countries where these fanatics take Christians out and behead them. But they also, of course, attack moderate Muslims. They are out to try to topple the government of el-Sisi and Egypt and all the other governments there that are not committed to the fanatic view of Islam that they hold.

The most recent attacks in New York should, at least, open our eyes to things that we can do here. Maybe we can't stop it all over the world, but the least we can do is to take steps to protect our own citizens from this type of fanatical threat that hangs over us.

Well, we need to take specific steps that can and should be done to help deal with this danger. I have, in fact, discussed a plan with the President—and this is a few months ago—and we have had a lot of work and a lot of things under the bridge since then, but his commitment to border security includes placing a wall on the Southern border.

Yes, making sure that we have border security, and yes, if it takes a wall on our Southern border, the President is right on target. A wall and beefing up our border will, of course, be expensive. That is why I laid out a plan to the President and have since offered legislation that would pay for President Trump's proposed border wall.

The car attack in New York has altered many Americans and alerted many Americans to something they didn't know about before, and that is that we have an immigration system, an immigration law that permits 50,000 people to immigrate into our country every year—50,000 people who are chosen by lottery, not by some really looking at them, some examination of their credentials, seeing what they could contribute, no. A lottery.

And, of course, Senator SCHUMER in the Senate, I guess, was the man who actually insisted on this. Well, I am sure he was well-intended, but what we have now are people—instead of bringing in the people who can most contribute to our country, he has insisted we leave 50,000 of them up to a lottery system.

This is insanity. It is forced onto us and has been forced into policy by liberal left politicians who would flood our country with illegals, which is something they are doing besides just this threat that we are talking about, because these people who win the lottery, of course, are not coming here illegally.

At the same time, the same people who are pushing that type of system are pushing for policies that would flood our country with illegals and has flooded our country with illegals, that has brought down our healthcare system, our education system. We brought criminals into our country, and we have had an uncontrolled border.

Yes, the people who are responsible for that have also been responsible for policy that just permitted 50,000 people legally to come here; and those 50,000 people are people not selected by a rational process but instead by a lottery.

The terrorist murderers in New York, of course, were here. That terrorist murderer, and maybe murderers, they were here on the lottery visa. They weren't here because they had been selected. In fact, the lottery selected this Uzbeki fanatic Muslim, and he didn't have the skills and the education necessary to live a decent life, and he ended up killing a lot of people in New York. Surprise, surprise.

We should know about these people who are coming into our country, period, whether those people are coming illegally. We have had millions of people pouring into our country illegally, and then what do our liberal left politicians on the other side say? ''Oh, we need sanctuary cities to protect them, the ones who are here illegally and have come here illegally,'' which, of course, does nothing but encourage more people to come here illegally. And the more who are here illegally are people who we don't know what they are all about.

Do you think the fanatic Islamic terrorists that I am referring to today didn't notice that our border was porous and that people were pouring across our border from our Southern border?

Well, we should know about everybody who is coming into the country, and we should choose the very best people who can contribute to our country. I have no problem with a very robust legal immigration into our country, no problem at all, and neither do the Republicans that I know.

What we have a problem with is a flood of illegals coming in, bidding down the wages of our own citizens, some of them criminals attacking and killing the citizens like we saw in San Francisco—a young lady who was killed by an illegal who had been sent home. But also, even within the system that is legal immigrants, we need to know who those people are and select the very best people to come here.

The plan that I offered the President, which will make it easier for him to accomplish this mission, is a plan that would take that slot in our lottery, 50,000 people who now come in under a lottery like the guy who just killed those people in New York, instead, let's use that slot, those 50,000 places in our legal immigration system and offer it to foreigners who are very wealthy, who can be given the privilege of paying $1 million each to come here and eventually become a citizen.

If we can do that, that $1 million and those 50,000 slots will give us all the money we need to build that wall, and it is fitting that we build that wall and we secure our borders and beef up our system of immigration to protect our citizens, and that we actually have people who want to come here and immigrate here pay for that reform.

We need to implement immigration policies that serve the American people. That is what should be first and foremost, not some crazy notion that we are going to, oh, build—get some kind of better spirit by opening up the immigration into our country to anybody who can get here, and let's let a lottery decide, let's not do it rationally. No.

We need to make sure everybody who comes here is going to contribute, and they are good people. Unless we can all stand together—and the most important thing is they are coming here because they want to be Americans, like almost all the legal immigrants who come here, people who want to be Americans, and we will open our arms, as we have, and as Republicans who are opposed to illegal immigration have said over and over again.

Well, I have proposed H.R. 2724, and I call on President Trump to pay attention to this. I call all of my colleagues to pay attention to this. I urge my colleagues to take a look at that legislation. That will offer us the financial resources we need to bolster our borders, to make sure that there is a wall, but, also, to make sure that we are not bringing into this country people who are associated with radical Islamic fanaticism that would do us harm.

I am asking my colleagues to look at that legislation. I am asking anyone who is reading the CONGRESSIONAL RECORD or listening to this, perhaps, to talk to their Congressman on this issue.

Now, in the past 2 weeks, we have been provided information on another issue that I would like to bring up. Mr. Speaker, may I ask how much time I have left.

The SPEAKER pro tempore. The gentleman from California has 16 minutes remaining.

□ 2000

Mr. ROHRABACHER. Mr. Speaker, I will try to bring up something that we have heard, and we need to discuss this as Americans, because it also is about a very major flaw in our system that is apparent, things that have been not right for the last 2 years.

In the past 2 weeks, however, information has been provided to the American people that has exposed the hypocrisy and misinformation, forced down our throats, for months concerning the allegation that President Trump colluded with the Russians in order to steal the last election. Over and over again, fake news filled the airwaves and, of course, the newspapers, suggesting that there was a sinister plot that kept Hillary from becoming President of the United States.

The core accusation was the Russians had hacked into the Democratic National Committee computers. Emails between the Democratic leaders were taken and handed over to Julian Assange, who is the head of WikiLeaks, and that they were released to the public by WikiLeaks.

The skulduggery of the Democrat leadership and the Clinton campaign was, thus, exposed by these emails. Yes, that exposure to this skulduggery and this unconscionable activity between the Clinton leadership, and also the Democratic Party leadership, these emails, yes, did have an impact on the election, as many Democrats who supported BERNIE SANDERS felt that they had been cheated by their own party because the proof was being offered to them by these WikiLeaks emails that had been taken from the Democratic National Committee.

Now, we heard over and over again that Trump stole the election because he was in collusion with the Russians. The lib-left media, which is most of them, found every which way, any little thing that any member of the Trump team did, as sinister proof that there was collusion with the Russians, thus, they stole the election. Well, it was pounded into our heads month after month, even after the election was over.

But Hillary didn't lose that. That is what we are being told. Hillary lost the election. She didn't want us to believe that it was because she was a rotten candidate running on a miserable track record and a platform that undermined her own candidacy, but, instead, she lost because the GOP had subterfuge and treachery in which they were working with Russians, who helped them out to accomplish this horrible crime of stealing the election.

Well, this negative media barrage and this continued attack on President Trump did not stop when the election was over. It went on for months and months. Everybody should remember that. Month after month after the election, in what appeared to be, in my point of view, an effort to disrupt our new President's authority and to exercise powers granted to him by the American voters, that was going to be disrupted, so he could not become a regular President of the United States, as our election process had determined. Talk about not being loyal to the American way of life.

After months of these obstructionist tactics, the American people are now learning the whole truth. They are learning that the attack on Trump was

a total fraud, a power grab by those who lost the election, and an attempt to distract the American people from this wrongdoing.

First and foremost, let's make it clear: the Russians did not hack into and steal the Democratic National Committee's emails. In terms of the collusion with the Russians, it is now coming to light there are far worse things. But the stealing of those emails and then making them public—and, by the way, they were just making public honest emails. We are not talking about giving the public false information. We are talking about giving them information the Democrats didn't want them to have.

But in terms of collusion with the Russians, what is coming to light is that the Clinton Foundation—so these other charges that we have heard about President Trump may be something to distract us about something that was being done that was wrong and, of a similar light, that was wrong and being done by Hillary Clinton and her family.

In terms of collusion with the Russians, it has come to light that the Clinton Foundation collected more than or around $150 million from Russian oligarchs that Clinton felt was deposited right into the Clinton Foundation coffers. These oligarchs then deposited $500,000 right into the Clinton family's pockets for a speech. Yeah, they are going to give them a speaker's fee of $500,000 for one speech. All of this was happening when Hillary was Secretary of State. It was also happening when our government was making a decision as to whether they should sell 20 percent of America's uranium reserves to Russia. Why we would never seriously consider that, I don't know.

But in my research, I have found evidence that, because that did not seem right, the FBI had an informant watching all of this go down, close up, right there in Russia—an informant. Instead of charging Hillary with a crime, which was not done by the FBI, a gag order was placed on this witness who was working as an informer for the FBI.

That gag order at the time, who put it on this witness?

Well, it was the head of the FBI.

Who was the head of the FBI?

Robert Mueller. That gag order was kept on by Mueller, the gag order on the informant that had this information about the negotiations for contributions to the Clinton fund of $150 million. This guy was kept, and a gag order, all of this time, even while Mueller was head of the FBI. This is the same Mueller who is now the special prosecutor trying to find anything to charge Trump with collusion with the Russians.

That gag order over the witness implicating Hillary was not lifted until last week, when some of us stepped up and said: We have to have a public hearing on this and we need to make sure—not a public hearing on any type of negative or, let's say, illegal collusion with the Russian Government by any American politician, which would have included Hillary, of course, and will include Hillary and anybody else who colluded with them.

Yes, I know, that I have advanced the idea of cooperating with the Russians, so this may seem out of place. But I have always felt whatever we do with the Russians needs to be what is in the interest of the people of the United States. Certainly giving away 20 percent of America's uranium reserves, and then gagging one of the witnesses to the discussions that were taking place at the time when, at the same time, oligarchs in Russia were providing the Clintons with $150 million donation to their foundation, and a $500,000 donation right into the personal pockets of Bill Clinton.

Now, we need to move forward on this. As we know, the special prosecutor, Mr. Mueller, who kept the gag order on this witness, who didn't charge Hillary in the beginning, now has found someone to indict. Paul Manafort has been indicted.

Isn't this interesting?

Our special prosecutor was tasked with trying to see if there was Russian collusion in the last election between the Trump people and the Russians in order to steal the election. And what did he come up with?

Basically, tax evasion by Paul Manafort, who is a longtime politico in this city.

And guess what. The tax evasion he is being charged with happened long before Paul Manafort had anything to do with Donald Trump. That is wrong. That is wrong. There is something really wrong there. We need to get a new special prosecutor or whatever. We need to have these hearings. Our Republicans need to get tough and we need to make sure that we are seeking out this information and documenting it.

For example, putting the people under oath. There were a group of people—policymakers—who made the decision of whether or not to sell that uranium to the Russians. They need to be put under oath and asked whether or not anyone representing the Clintons ever talked to them during that process and encouraged them for this deal of selling the Russians this uranium.

There are all kinds of avenues that we need to follow through on. Instead, Mr. Mueller ends up with some kind of a tax violation by one of the players that happened long before he was even associated with Donald Trump.

Something has gone haywire here. The American people need to see it. Especially when we understand now there is also evidence that during that election, the Clinton campaign paid Russian sources—it went through an intermediary. He was an English intelligence officer—paid millions of dollars to the Russians to get a scurrilous false report and video, or tape, or whatever it was, of President Trump in some type of compromising situation.

But we know now that was false and that Hillary Clinton's campaign and these people talking about collusion with the Russians were paying, essentially, the Russians to give them this information.

Now, I would hope that this comes out and this becomes something that is explained and the American people understand. When they see this attack on our President by people who have a totally different view of how we should be in the world—remember, our last President could not say the words ''radical Islamic terrorist.'' He had a different approach than Hillary, the Secretary of State. We know what happened in Benghazi and elsewhere. We have a totally different approach to these challenges America faces overseas. It is all right.

President Obama was elected. Hillary was not elected. President Trump was elected. These efforts to undermine his authority are the worst kind of repudiation of the American way of life and the American system of government. We Americans must stand firm against radical Islam. We must stand firm and offer an alternative of strength and courage, as compared to the cowardice and nonsense that we have seen in the policies of the last 8 years.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SIMPSON (at the request of Mr. MCCARTHY) for today after 4 p.m. on account of personal reasons.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Ms. PELOSI) for the second vote series today, and November 3 on account of family illness.

PUBLICATION OF BUDGETARY MATERIAL

COMMITTEE ALLOCATIONS OF THE FISCAL YEAR 2018 CONCURRENT RESOLUTION ON THE BUDGET

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, November 2, 2017.

Mr. Speaker, pursuant to section 5206 of H. Con. Res. 71, the Fiscal Year 2018 Concurrent Resolution on the Budget, as passed by the House on October 26, 2017, I hereby submit for printing in the Congressional Record: (1) a 302(a) allocation for fiscal year 2018, consistent with title I of H. Con. Res. 71, for the House Committee on Appropriations; (2) 302(a) allocations for fiscal year 2018 and the period of fiscal years 2018 through 2027, consistent with title I of H. Con. Res. 71, for all House committees other than the Committee on Appropriations; and (3) a list of programs, projects, activities, or accounts identified for advance appropriations for purposes of enforcing section 5104 of H. Con. Res. 71.

Associated tables are attached. These committee allocations are made for the purpose of enforcing titles III and IV of the Congressional Budget Act of 1974 and other budgetary enforcement provisions.

If there are any questions regarding these committee allocations, please contact Brad Watson of the Budget Committee staff.

Sincerely,

DIANE BLACK,
Chairman,
Committee on the Budget.

SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES

[On-budget amounts, in millions of dollars]

	2018	2018–2027
Agriculture:		
Current Law:		
BA	14,943	748,849
OT	14,727	738,524
Resolution Change:		
BA	−2,243	−209,852
OT	−1,991	−206,919
Total:		
BA	12,700	538,997
OT	12,736	531,605
Armed Services:		
Current Law:		
BA	163,720	1,787,190
OT	159,033	1,781,075
Resolution Change:		
BA	−1,651	−32,949
OT	−1,485	−32,601
Total:		
BA	162,069	1,754,241
OT	157,548	1,748,474
Financial Services:		
Current Law:		
BA	11,840	98,065
OT	−2,487	−17,474
Resolution Change:		
BA	−10,980	−124,012
OT	−10,695	−123,666
Total:		
BA	860	−25,947
OT	−13,182	−141,140
Education & Workforce:		
Current Law:		
BA	332	63,545
OT	−5,671	20,311
Resolution Change:		
BA	−16,809	−353,852
OT	−9,799	−326,214
Total:		
BA	−16,477	−290,307
OT	−15,470	−305,903
Energy & Commerce:		
Current Law:		
BA	431,810	6,362,158
OT	443,960	6,371,181
Resolution Change:		
BA	7,805	−1,652,820
OT	−24,661	−1,656,131
Total:		
BA	439,615	4,709,338
OT	419,299	4,715,050
Foreign Affairs:		
Current Law:		
BA	39,387	336,390
OT	30,227	313,093
Resolution Change:		
BA	0	0
OT	0	0
Total:		
BA	39,387	336,390
OT	30,227	313,093
Oversight & Government Reform:		
Current Law:		
BA	121,621	1,402,778
OT	119,700	1,370,189
Resolution Change:		
BA	−12,746	−281,830
OT	−12,746	−281,706
Total:		
BA	108,875	1,120,948
OT	106,954	1,088,483
Homeland Security:		
Current Law:		
BA	2,336	25,853
OT	2,433	26,758
Resolution Change:		
BA	−430	−25,270
OT	−193	−24,689
Total:		
BA	1,906	583
OT	2,240	2,069
House Administration:		
Current Law:		
BA	23	181
OT	−5	−43
Resolution Change:		
BA	0	0
OT	0	0
Total:		
BA	23	181
OT	−5	−43
Natural Resources:		
Current Law:		
BA	6,003	65,841
OT	5,665	63,642
Resolution Change:		
BA	−3,816	−60,417

SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES—Continued

[On-budget amounts, in millions of dollars]

	2018	2018–2027
OT	−3,171	−59,302
Total:		
BA	2,187	5,424
OT	2,494	4,340
Judiciary:		
Current Law:		
BA	26,759	154,556
OT	15,708	164,898
Resolution Change:		
BA	−16,098	−67,078
OT	−1,528	−67,178
Total:		
BA	10,661	87,478
OT	14,180	97,720
Transportation & Infrastructure:		
Current Law:		
BA	76,588	737,300
OT	16,949	181,531
Resolution Change:		
BA	−241	−122,290
OT	−193	−3,066
Total:		
BA	76,347	615,010
OT	16,756	178,465
Science, Space & Technology:		
Current Law:		
BA	101	1,017
OT	101	1,017
Resolution Change:		
BA	0	0
OT	0	0
Total:		
BA	101	1,017
OT	101	1,017
Small Business:		
Current Law:		
BA	0	0
OT	0	0
Resolution Change:		
BA	0	0
OT	0	0
Total:		
BA	0	0
OT	0	0
Veterans Affairs:		
Current Law:		
BA	2,453	129,165
OT	5,416	132,834
Resolution Change:		
BA	−748	−49,022
OT	−748	−49,022
Total:		
BA	1,705	80,143
OT	4,668	83,812
Ways & Means:		
Current Law:		
BA	1,080,564	15,412,214
OT	1,078,811	15,405,517
Resolution Change:		
BA	−19,499	−800,344
OT	−19,108	−799,687
Total:		
BA	1,061,065	14,611,870
OT	1,059,703	14,605,830

ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS

[In millions of dollars]

	2018
Base Discretionary Action:	
BA	1,064,806
OT	1,167,885
Global War on Terrorism:	
BA	76,591
OT	43,121
Current Law Mandatory:	
BA	1,010,315
OT	998,404

ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS

ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS FOR FISCAL YEAR 2019 (SUBJECT TO A GENERAL LIMIT OF $28,852,000,000)

Labor, Health and Human Services, and Education

Employment and Training Administration
Education for the Disadvantaged
School Improvement
Career, Technical, and Adult Education
Special Education

Transportation, Housing and Urban Development

Tenant-based Rental Assistance
Project-based Rental Assistance

VETERANS DISCRETIONARY ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS FOR FISCAL YEAR 2019 (SUBJECT TO A SEPARATE LIMIT OF $70,699,313,000)

Military Construction, Veterans Affairs

Veterans Medical Services
Veterans Medical Support and Compliance
Veterans Medical Facilities
Veterans Medical Community Care

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2018 CONCURRENT RESOLUTION ON THE BUDGET

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, November 2, 2017.

Mr. Speaker, pursuant to section 5403 of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018, I hereby submit for printing in the Congressional Record revisions to the aggregates and the committee 302(a) allocations printed in the Congressional Record on November 2, 2017. These revisions reflect the budgetary impact of H.R. 3922, the CHAMPIONING HEALTHY KIDS Act of 2017, as modified by H. Res. 601. H.R. 3922 extends funding through fiscal year 2022 for the State Children's Health Insurance Program in addition to providing a two-year extension for Federally Qualified Health Centers and other various public health programs. Corresponding tables are attached.

These revisions represent an adjustment for purposes of budget enforcement. These revised aggregates and allocations are to be considered as the aggregates and allocations established in the budget resolution, pursuant to H. Con. Res. 71, as adjusted. Pursuant to section 4203 of H. Con. Res. 71, these adjustments apply only while H.R. 3922, as modified by H. Res. 601, is under consideration or upon its enactment.

Sincerely,

DIANE BLACK,
Chairman,
Committee on the Budget.

TABLE 1—REVISION TO ON-BUDGET AGGREGATES—BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal Year	
	2018	2018–2027
Current Aggregates:		
Budget Authority	3,136,721	[1]
Outlays	3,131,688	[1]
Revenues	2,490,936	31,171,521
Adjustment for H.R. 3922:		
Budget Authority	21,083	[1]
Outlays	4,367	[1]
Revenues	139	5,128
Revised Aggregates:		
Budget Authority	3,157,804	[1]
Outlays	3,136,055	[1]
Revenues	2,491,075	31,176,649

[1] Not applicable because annual appropriations acts for fiscal years 2019–2027 will not be considered until future sessions of Congress.

TABLE 2—REVISIONS TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Energy and Commerce	2018		2018–2027 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocatione	431,810	443,960	6,362,158	6,371,181
Adjustment for H.R. 3922	21,083	4,367	45,108	4,893
Revised Allocation	452,893	448,327	6,407,266	6,376,074

REVISIONS TO THE ALLOCATIONS OF THE FISCAL YEAR 2018 CONCURRENT RESOLUTION ON THE BUDGET

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, November 2, 2017.

Mr. Speaker, pursuant to section 5404 of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018, I hereby submit for printing in the Congressional Record revisions to the committee 302(a) allocations printed in the Congressional Record on November 2, 2017. These revisions reflect the budgetary impact of H.R. 849, the Protecting Seniors' Access to Medicare Act of 2017. The bill repeals provisions of the Patient Protection and Affordable Care Act that established the Independent Payment Advisory Board. A corresponding table is attached.

These revisions represent an adjustment for purposes of budget enforcement. The revised allocations are to be considered as the allocations established in the budget resolution, pursuant to H. Con. Res. 71, as adjusted. Pursuant to section 4203 of H. Con. Res. 71, these adjustments apply only while H.R. 849 is under consideration or upon its enactment.

Sincerely,

DIANE BLACK,
Chairman,
Committee on the Budget.

TABLE 1—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Committee	2018		2018–2027 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Ways and Means				
Current Allocation:	1,061,065	1,059,703	14,611,870	14,605,830
Adjustment for H.R. 849, Protecting Senior's Access to Medicare Act	0	0	17,490	17,490
Revised Allocation:	1,061,065	1,059,703	14,629,360	14,623,320

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 782. An Act to reauthorize the National Internet Crimes Against Children Task Force Program, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 2, 2017, she presented to the President of the United States, for his approval, the following bill:

H.R. 1329. To increase, effective as of December 1, 2017, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Friday, November 3, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3052. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Covered Securities Pursuant to Section 18 of the Securities Act of 1933 [Release No.: 33-10428; File No.: S7-06-17] (RIN: 3235-AM07) received October 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3053. A letter from the Chair and Co-Chair, Congressional-Executive Commission on the People's Republic of China, transmitting the 2017 Annual Report of the Congressional-Executive Commission on China, pursuant to 22 U.S.C. 6912(g); Public Law 106-286, Sec. 302(g); (114 Stat. 897); to the Committee on Foreign Affairs.

3054. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting four (4) notifications of nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3055. A letter from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting two (2) notifications of designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3056. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Motor Vehicle Safety Standards; Electronic Stability Control Systems for Heavy Vehicles [Docket No.: NHTSA-2015-0056] (RIN: 2127-AL78) received October 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3057. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31154; Amdt. No.: 3765] received October 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3058. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Stage 5 Airplane Noise Standards [Docket No.: FAA-2015-3782; Amdt. Nos.: 36-31; 91-349] (RIN: 2120-AK52) received October 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3059. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Turbofan Engines [Docket No.: FAA-2016-9451; Product Identifier 2016-NE-24-AD; Amendment 39-19058; AD 2017-20-01] (RIN: 2120-AA64) received October 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3060. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2015-8434; Product Identifier 2015-NM-082-AD; Amendment 39-19057; AD 2017-19-27] (RIN: 2120-AA64) received October 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3061. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2017-0813; Product Identifier 2017-NM-109-AD; Amendment 39-19059; AD 2017-20-02] (RIN: 2120-AA64) received October 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3062. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2017-0498; Product Identifier 2016-NM-175-AD; Amendment 39-19053; AD 2017-19-23] (RIN: 2120-AA64) received October 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3063. A letter from the Office Program Manager, Office of Regulation Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Extension of the Presumptive Period for Compensation for Gulf War Veterans (RIN: 2900-AP84) received October 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3064. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Procedures to Adjust Customs COBRA User Fees to Reflect Inflation [USCBP-2017-0025] [CBP Dec. 17-16] (RIN: 1515-AE25) received October 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3065. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2018 Limitations Adjusted As Provided in Section 415(d), etc. [Notice 2017-64] received October 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3066. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; End-Stage Renal Disease Prospective Payment System,

Payment for Renal Dialysis Services Furnished to Individuals with Acute Kidney Injury, and End-Stage Renal Disease Quality Incentive Program [CMS-1674-F] (RIN: 0938-AT04) received October 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BRADY of Texas (for himself, Mr. RYAN of Wisconsin, Mr. SAM JOHNSON of Texas, Mr. NUNES, Mr. TIBERI, Mr. REICHERT, Mr. ROSKAM, Mr. BUCHANAN, Mr. SMITH of Nebraska, Ms. JENKINS of Kansas, Mr. PAULSEN, Mr. MARCHANT, Mrs. BLACK, Mr. REED, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mr. MEEHAN, Mrs. NOEM, Mr. HOLDING, Mr. SMITH of Missouri, Mr. RICE of South Carolina, Mr. SCHWEIKERT, Mrs. WALORSKI, Mr. CURBELO of Florida, and Mr. BISHOP of Michigan):

H.R. 1. A bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2018; to the Committee on Ways and Means.

By Mrs. MIMI WALTERS of California (for herself, Ms. STEFANIK, and Mrs. MCMORRIS RODGERS):

H.R. 4219. A bill to amend the Employee Retirement Income Security Act of 1974 to include a voluntary option for qualified flexible workplace arrangements; to the Committee on Education and the Workforce.

By Mr. GRIFFITH:

H.R. 4220. A bill to adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Ms. MAXINE WATERS of California, and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 4221. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BONAMICI (for herself, Mr. DEUTCH, Mr. CRIST, Ms. FRANKEL of Florida, Ms. NORTON, Mr. HIGGINS of New York, and Mr. BLUMENAUER):

H.R. 4222. A bill to amend the Older Americans Act of 1965 to provide equal treatment of LGBT older individuals, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ENGEL (for himself, Mr. CHABOT, Mr. CROWLEY, Mr. YOHO, Mr. SHERMAN, Mrs. WAGNER, Mr. CASTRO of Texas, and Mr. FRANKS of Arizona):

H.R. 4223. A bill to promote democracy and human rights in Burma, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Armed Services, 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 Ms. HANABUSA (for herself and Ms. GABBARD):

H.R. 4224. A bill to authorize the temporary entry into the United States of alien crewmen employed on longline fishing vessels originating in Hawaii, to ensure that such aliens receive reasonable wages and working conditions, and to provide for appropriate enforcement and oversight of fishing companies employing such aliens; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Transportation and Infrastructure, 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. HUDSON:

H.R. 4225. A bill to amend the Patient Protection and Affordable Care Act by clarifying that State Exchanges are prohibited from imposing fees or assessments on issuers of excepted benefits and standalone dental plans not sold through an Exchange; to the Committee on Energy and Commerce.

By Mr. KIND (for himself and Mr. JONES):

H.R. 4226. A bill to amend the Public Health Service Act to designate certain medical facilities of the Department of Veterans Affairs as health professional shortage areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LATTA (for himself, Mr. MARCHANT, Mr. BUCSHON, Mr. CHABOT, Mr. WALBERG, Ms. KAPTUR, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. RENACCI):

H.R. 4227. A bill to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes; to the Committee on Homeland Security.

By Mr. MCKINLEY (for himself and Ms. DEGETTE):

H.R. 4228. A bill to amend the Department of Energy Organization Act to establish a biennial commission to develop a comprehensive energy policy for the United States; to the Committee on Energy and Commerce.

By Mrs. MCMORRIS RODGERS (for herself, Mr. ADERHOLT, Mr. BISHOP of Georgia, Mrs. BLACKBURN, Mr. BLUM, Mr. BUCSHON, Mr. COLLINS of Georgia, Mr. COLLINS of New York, Mr. COOK, Mr. CRAMER, Mr. DUFFY, Mr. DUNCAN of Tennessee, Mr. FERGUSON, Mr. GALLAGHER, Mr. GIANFORTE, Mr. GRAVES of Georgia, Mr. GRAVES of Missouri, Mr. GRIFFITH, Mr. HARPER, Mrs. HARTZLER, Mr. JENKINS of West Virginia, Ms. JENKINS of Kansas, Mr. JOHNSON of Ohio, Mr. JOYCE of Ohio, Ms. KAPTUR, Mr. KELLY of Pennsylvania, Mr. KING of Iowa, Ms. KUSTER of New Hampshire, Mr. LAMALFA, Mr. LAMBORN, Mr. LATTA, Mr. LONG, Mr. LUETKEMEYER, Mr. MARINO, Mr. MARSHALL, Mr. MOULTON, Mrs. NOEM, Mr. ROGERS of Alabama, Mr. ROTHFUS, Ms. SEWELL of Alabama, Mr. SMITH of Missouri, Mr. TIBERI, Mr. TIPTON, Mr. TURNER, Mrs. WAGNER, Mr. WELCH, Mr. YOUNG of Iowa, Mr. RYAN of Ohio, Mr. ROE of Tennessee, Mr. ALLEN, Mr. VISCLOSKY, Mr. KELLY of Mississippi, Mr. MULLIN, and Mr. LOEBSACK):

H.R. 4229. A bill to extend the transition to new payment rates for durable medical equipment under the Medicare program and amend title XVIII of the Social Security Act to update the Medicare budget neutrality requirement for oxygen; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEADOWS (for himself, Mr. MACARTHUR, Mr. BIGGS, Mr. NORMAN, Mr. YOHO, Mr. PERRY, Mr. JORDAN, and Mr. BUCK):

H.R. 4230. A bill to require the timely publication of any research source code and data used by a Federal agency in assessing the costs and benefits of new regulations, and for other purposes; to the Committee on the Judiciary.

By Mr. NORMAN (for himself, Mr. GOSAR, Mr. MCCLINTOCK, Mr. FRANKS of Arizona, Mr. MOONEY of West Virginia, Mr. PERRY, Mr. PEARCE, Mr. GOHMERT, Mr. BUCK, Mr. DUNCAN of South Carolina, Mr. BRAT, Mr. BABIN, Mr. ALLEN, and Mr. JODY B. HICE of Georgia):

H.R. 4231. A bill to amend title 5, United States Code, to provide requirements for agency decision making based on science; to the Committee on the Judiciary.

By Mr. POCAN (for himself, Ms. STEFANIK, Mrs. BUSTOS, Mr. HUFFMAN, and Mr. ROGERS of Kentucky):

H.R. 4232. A bill to amend the Rural Electrification Act of 1936 to provide grants for access to broadband telecommunications services in rural areas, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENACCI (for himself and Mr. RICE of South Carolina):

H.R. 4233. A bill to amend the Internal Revenue Code of 1986 to prevent the fraudulent overreporting of income with respect to the earned income tax credit and the additional child tax credit; to the Committee on Ways and Means.

By Mr. RENACCI (for himself, Mr. KILMER, Mr. STIVERS, and Mr. MOULTON):

H.R. 4234. A bill to amend the McKinney-Vento Homeless Assistance Act to authorize college and career counseling for homeless children and youths; to the Committee on Education and the Workforce, 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. SMITH of New Jersey (for himself and Mr. ESTES of Kansas):

H.R. 4235. A bill to authorize a review of financial services industry requirements of the People's Republic of China and the implications of such requirements on national security interests of the United States; to the Committee on Financial Services, and in addition to the Committees on Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHABOT (for himself, Ms. VELÁZQUEZ, Ms. ADAMS, Mr. BACON, Mr. BLUM, Mr. BRAT, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. COMER, Mr. ESPAILLAT, Mr. EVANS, Mr. FITZPATRICK, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. KELLY of Mississippi, Mr. KING of

Iowa, Mr. KNIGHT, Mr. LAWSON of Florida, Mr. LUETKEMEYER, Mr. MARSHALL, Mrs. MURPHY of Florida, Mr. NORMAN, Mrs. RADEWAGEN, Mr. SCHNEIDER, Ms. BONAMICI, Mr. CARSON of Indiana, Mr. DELANEY, Ms. HANABUSA, Ms. KELLY of Illinois, Ms. MCCOLLUM, Mr. TAKANO, Ms. SLAUGHTER, and Mr. SWALWELL of California):

H. Res. 603. A resolution recognizing November 25, 2017, as ''Small Business Saturday'' and supporting efforts to increase awareness of the value of locally owned small businesses; to the Committee on Small Business.

By Ms. SPEIER (for herself, Mr. COSTELLO of Pennsylvania, Mr. POLIQUIN, and Mr. BRADY of Pennsylvania):

H. Res. 604. A resolution amending the Rules of the House of Representatives to require each Member, officer, and employee of the House to complete the program of sexual harassment prevention and response training in employment which is offered by the Office of Compliance, and for other purposes; to the Committee on Ethics, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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. BRADY of Texas:

H.R. 1.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States.

By Mrs. MIMI WALTERS of California:

H.R. 4219.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. GRIFFITH:

H.R. 4220.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SMITH of New Jersey:

H.R. 4221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Ms. BONAMICI:

H.R. 4222.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. ENGEL:

H.R. 4223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Ms. HANABUSA:

H.R. 4224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HUDSON:

H.R. 4225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. KIND:

H.R. 4226.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. LATTA:

H.R. 4227.

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. MCKINLEY:

H.R. 4228.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''

By Mrs. MCMORRIS RODGERS:

H.R. 4229.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the understanding and interpretation of the Commerce Clause, Congress has the authority to enact this legislation in accordance with Clause 3 of Section 8, Article 1 of the U.S. Constitution.

By Mr. MEADOWS:

H.R. 4230.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

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. NORMAN:

H.R. 4231.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. POCAN:

H.R. 4232.

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. RENACCI:

H.R. 4233.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: ''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. RENACCI:

H.R. 4234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SMITH of New Jersey:

H.R. 4235.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 83: Mr. RENACCI.

H.R. 173: Mr. ZELDIN, Ms. WASSERMAN SCHULTZ, Mr. JEFFRIES, Mr. AL GREEN of Texas, Mr. COLLINS of Georgia, and Mr. GOSAR.

H.R. 394: Mr. ROKITA and Mr. DUNN.

H.R. 535: Ms. JACKSON LEE.

H.R. 548: Mr. DESJARLAIS.

H.R. 564: Mr. LOUDERMILK.

H.R. 620: Mr. TAYLOR, Mr. FRANCIS ROONEY of Florida, and Mr. HOLDING.

H.R. 632: Mr. ENGEL.

H.R. 643: Mr. ROKITA.

H.R. 719: Mr. ROKITA.

H.R. 747: Mrs. BLACK.

H.R. 771: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 809: Ms. TENNEY.

H.R. 909: Mr. BERA.

H.R. 947: Mr. PANETTA and Ms. MAXINE WATERS of California.

H.R. 972: Mr. TONKO.

H.R. 1038: Mr. GOHMERT.

H.R. 1046: Mr. ALLEN, Mr. NOLAN, Mr. DIAZ-BALART, and Mr. RUTHERFORD.

H.R. 1057: Mr. SMITH of Nebraska and Mr. GOMEZ.

H.R. 1098: Ms. ESTY of Connecticut, Mr. CARSON of Indiana, and Mrs. BROOKS of Indiana.

H.R. 1158: Ms. FUDGE.

H.R. 1164: Ms. MCSALLY.

H.R. 1178: Mr. GAETZ, Mr. GOHMERT, and Mr. LABRADOR.

H.R. 1264: Mr. MOOLENAAR.

H.R. 1284: Mr. ROKITA.

H.R. 1406: Ms. MATSUI, Mrs. BUSTOS, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1444: Mr. POLIS.

H.R. 1478: Ms. KAPTUR.

H.R. 1496: Mr. ROYCE of California, Mr. DENHAM, Mrs. MIMI WALTERS of California, Mr. MCCLINTOCK and Mr. LAMALFA.

H.R. 1515: Ms. SÁNCHEZ.

H.R. 1516: Ms. MAXINE WATERS of California.

H.R. 1552: Mr. BUDD.

H.R. 1650: Mr. O'ROURKE.

H.R. 1661: Ms. ESTY of Connecticut, Ms. SCHAKOWSKY, and Mr. VALADAO.

H.R. 1683: Mr. YOHO, Mr. BRADY of Pennsylvania, Mr. RUTHERFORD, and Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 1730: Mr. NADLER, Mr. BRADY of Pennsylvania, and Ms. JAYAPAL.

H.R. 1739: Ms. SÁNCHEZ.

H.R. 1953: Mr. BUTTERFIELD.

H.R. 1976: Mr. NORMAN.

H.R. 2079: Ms. TSONGAS.

H.R. 2092: Mr. RENACCI and Mr. NOLAN.

H.R. 2327: Mr. AL GREEN of Texas, Mr. LARSEN of Washington, and Mr. THORNBERRY.

H.R. 2366: Mr. ELLISON and Mr. O'ROURKE.

H.R. 2437: Mr. BARLETTA.

H.R. 2452: Mr. THOMPSON of California.

H.R. 2506: Mr. BRADY of Pennsylvania.

H.R. 2591: Mr. DUNN, Mr. WALBERG, Mr. WITTMAN, and Mr. FLORES.

H.R. 2603: Mr. ESTES of Kansas.

H.R. 2651: Mr. ESTES of Kansas, Mr. GARRETT, and Ms. MENG.

H.R. 2723: Mr. STIVERS and Mr. RUTHERFORD.

H.R. 2748: Ms. LEE, Mr. BUCHANAN, Ms. SHEA-PORTER, Mr. MOULTON, and Mr. RUPPERSBERGER.

H.R. 2773: Mr. POLIQUIN.

H.R. 2790: Mr. CARTWRIGHT, Ms. MATSUI, and Mr. BERA.

H.R. 2826: Mr. FRANCIS ROONEY of Florida.

H.R. 2862: Mr. WALZ.

H.R. 2902: Mr. ESPAILLAT, Mr. PASCRELL, Mr. LIPINSKI, Ms. SLAUGHTER, and Mr. KING of New York.

H.R. 2942: Ms. MAXINE WATERS of California and Mr. NORCROSS.

H.R. 2987: Ms. KUSTER of New Hampshire.

H.R. 3032: Mr. MULLIN and Mr. SHIMKUS.

H.R. 3107: Mr. KNIGHT.

H.R. 3142: Mr. MOONEY of West Virginia.

H.R. 3179: Mr. LUCAS, Mr. MACARTHUR, and Mr. HILL.

H.R. 3272: Mr. VARGAS, Mr. FLEISCHMANN, Mr. KRISHNAMOORTHI, Ms. ROS-LEHTINEN, Ms. SLAUGHTER, Mr. ROSS, Mr. THOMPSON of California, and Mr. LOBIONDO.

H.R. 3282: Mr. COMER.

H.R. 3312: Mr. COOPER, Mrs. BROOKS of Indiana, Ms. JENKINS of Kansas, Mr. PAULSEN, Mrs. WALORSKI, and Mr. COFFMAN.

H.R. 3380: Mr. GOMEZ, Mr. VISCLOSKY, and Mr. CARTWRIGHT.

H.R. 3445: Mr. CAPUANO.

H.R. 3503: Mr. ROKITA.

H.R. 3507: Mr. YARMUTH.

H.R. 3541: Mr. COSTA.

H.R. 3596: Mr. SOTO, Mrs. WALORSKI, Mr. HOLDING, Mrs. BROOKS of Indiana, Mrs. NOEM, Mr. LONG, Mr. DESJARLAIS, Mr. HUIZENGA, Mr. GOSAR, Mr. MOONEY of West Virginia, Mr. YOUNG of Iowa, Mr. SMITH of Missouri, Mr. LOEBSACK, Mr. KUSTOFF of Tennessee, Mr. MEEKS, and Mr. ESTES of Kansas.

H.R. 3605: Mr. MEADOWS.

H.R. 3641: Mr. SAM JOHNSON of Texas, Mr. FERGUSON, Mr. LONG, and Mr. ALLEN.

H.R. 3642: Mr. MOOLENAAR and Mr. YOHO.

H.R. 3703: Ms. JACKSON LEE.

H.R. 3712: Ms. JAYAPAL and Mrs. MCMORRIS RODGERS.

H.R. 3755: Mr. SMITH of Washington and Ms. JUDY CHU of California.

H.R. 3761: Mr. RYAN of Ohio.

H.R. 3768: Ms. SCHAKOWSKY.

H.R. 3833: Mr. GONZALEZ of Texas.

H.R. 3848: Mr. QUIGLEY.

H.R. 3876: Mr. GOMEZ.

H.R. 3897: Mr. FORTENBERRY, Mr. RUPPERSBERGER, Mr. KATKO, Mr. SUOZZI, Mr. RODNEY DAVIS of Illinois, Mr. SHIMKUS, Mr. KELLY of Mississippi, Mrs. MCMORRIS RODGERS, and Mr. PERLMUTTER.

H.R. 3940: Mr. ROYCE of California, Mr. COOK, and Mr. PETERS.

H.R. 3966: Mr. BISHOP of Michigan.

H.R. 3969: Mr. GARAMENDI.

H.R. 3970: Mr. KIND.

H.R. 4036: Mr. LOUDERMILK and Mr. GOWDY.

H.R. 4051: Mr. BRADY of Pennsylvania.

H.R. 4078: Mr. CALVERT.

H.R. 4082: Mr. CICILLINE and Mr. O'ROURKE.

H.R. 4090: Mr. BISHOP of Michigan and Mrs. BLACKburn.

H.R. 4120: Mr. VEASEY and Mr. PERLMUTTER.

H.R. 4122: Mr. COHEN, Mr. CONNOLLY, Mr. HASTINGS, Mr. HIGGINS of New York, Mr. LARSEN of Washington, Mr. LOWENTHAL, Ms. MOORE, Ms. NORTON, Mr. DAVID SCOTT of Georgia, Mr. TAKANO, and Ms. ROYBAL-ALLARD.

H.R. 4131: Mr. CARTER of Georgia.

H.R. 4143: Mr. BEN RAY LUJÁN of New Mexico, Mr. HECK, Mr. BROWN of Maryland, Mr. PETERSON, and Mr. DUNN.

H.R. 4155: Mr. RASKIN, Ms. SÁNCHEZ, Mrs. NAPOLITANO, Mr. GOWDY, Mr. CROWLEY, and Ms. HANABUSA.

H.R. 4173: Mrs. BROOKS of Indiana.

H.J. Res. 118: Ms. SPEIER.

H.J. Res. 120: Mr. PAYNE.

H. Con. Res. 13: Mr. LAWSON of Florida.

H. Con. Res. 57: Mr. LOWENTHAL and Ms. LOFGREN.

H. Con. Res. 59: Mr. LOEBSACK.

H. Con. Res. 80: Mr. CARTWRIGHT.

H. Con. Res. 81: Mr. TONKO, Mr. SMITH of Washington, and Mrs. LAWRENCE.

H. Res. 15: Ms. KELLY of Illinois.

H. Res. 244: Mr. PETERS.

H. Res. 257: Mr. CARTWRIGHT.

H. Res. 279: Mr. LONG.

H. Res. 401: Ms. BLUNT ROCHESTER and Mr. HUNTER.

H. Res. 477: Mr. ROKITA and Mr. BABIN.

H. Res. 495: Ms. MENG, Mr. FOSTER, Ms. VELÁZQUEZ, and Mr. TAKANO.

H. Res. 505: Mr. PETERS.

H. Res. 564: Mr. WALKER.

H. Res. 584: Mr. GRIJALVA.

H. Res. 596: Mr. PAYNE.

H. Res. 597: Mr. KIND and Mr. WESTERMAN.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, THURSDAY, NOVEMBER 2, 2017 No. 178

Senate

The Senate met at 9:30 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.

Eternal King, You are great and marvelous. Without Your wondrous deeds, our lawmakers, our Nation, and our planet could not survive. Lord, let the nations You have made acknowledge Your sovereignty.

Continue to meet the needs of our Senators, providing solutions to their most challenging problems. Lord, teach them Your precepts so that they may walk in Your truth, experiencing the reverential awe that comes from Your presence. Make them wise and knowledgeable leaders. At their work, may they be diligent, ever striving through their faithfulness to please You. In their dealings with each other, may they be honest, courteous, and kind, never forgetting that You are the unseen guest in all of their deliberations.

We pray in Your strong 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. HELLER). The majority leader is recognized.

NOMINATIONS OF ALLISON EID AND STEPHANOS BIBAS

Mr. MCCONNELL. Mr. President, the Senate continues to press forward confirming President Trump's outstanding nominations to the Federal courts. Already this week, we have confirmed two strong, smart, and talented women to serve on our Nation's circuit courts. Today we will consider two more well-qualified nominees: Allison Eid and Stephanos Bibas.

First, we will confirm Allison Eid, whom the President has nominated to serve on the U.S. Court of Appeals for the Tenth Circuit. Justice Eid has big shoes to fill in taking that seat—it became vacant when Neil Gorsuch ascended to the Supreme Court. It is a hard act to follow. Yet I have every confidence she will excel in the role. You see, nominees such as Justice Eid and Professor Bibas are more than just the sum of their credentials—although theirs are indeed impressive, and I will expand on those credentials in just a moment—nominees such as these also believe, like Justice Gorsuch, that the role of a judge is to apply the law equally to everyone and to do so as the law is actually written, not as they wish it might be.

As Judge Gorsuch said, ''A judge who likes every outcome he reaches is very likely a bad judge—stretching for results he prefers rather than those the law demands,'' or, put a different way, ''I don't think there are red judges, and I don't think there are blue judges. All judges wear black.'' That is the view of Neil Gorsuch. That is the view of Allison Eid and Stephanos Bibas. That is just the kind of fair-minded judge we want serving on the bench and just the kind of fair-minded judge we are confirming this week, including the exceptional nominees before us.

Justice Allison Eid graduated from the University of Chicago Law School with high honors. She earned the opportunity to clerk for Fifth Circuit Judge Jerry E. Smith and then for Justice Clarence Thomas before joining the faculty of the University of Colorado School of Law, where she served as a professor for our colleague Senator GARDNER. When he introduced his former professor before the Judiciary Committee, Senator GARDNER noted how much she cared about ''robust debates and hearing the views of others.''

''Justice Eid,'' he said, ''was open to their views, engaging with them, and [was] never biased against different perspectives.''

Later, Justice Eid was appointed to serve as Colorado's solicitor general and, in 2006, to the Colorado Supreme Court. Two years later, 75 percent of Coloradans voted to retain her. Her time on the State's high court has been marked by clear and precise writing and judicial independence.

One of Justice Eid's former clerks wrote a column in the Denver Post in support of her nomination. As a jurist, this clerk wrote, ''Eid commits her full mental energy and attention to each case, carefully mastering every legal and factual detail in order to conduct a rigorous analysis dictated ultimately by the law.'' In addition, this former clerk added a personal touch to Justice Eid's incredible résumé:

For women striving to achieve that elusive balance between family life and a successful career, it can be hard to find strong role models. But Colorado's Allison Eid is a shining example.

Justice Eid is clearly well qualified for the position to which she has been nominated. She is just the kind of fair-minded judge people would want hearing their case. I look forward to supporting her nomination today, and I ask each of my colleagues to join me in confirming the nomination of this extremely well qualified jurist.

I would ask them to join me in supporting Professor Bibas too. Professor Bibas has served as assistant U.S. attorney. He has experience in private practice. He has clerked for a circuit court judge and for Supreme Court Justice Anthony Kennedy. Today he is a professor at the University of Pennsylvania Law School, where, according to the former dean of students, he ''enjoys

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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the give and take of discussion'' and is ''very fair, considerate, and encouraging.''

Moreover, as a bipartisan group of more than 100 law professors put it in a letter to the Judiciary Committee, Professor Bibas's ''fair-mindedness, conscientiousness, and personal integrity are beyond question,'' and in their view, ''his judicial temperament will reflect these qualities and . . . he will faithfully discharge his duty to apply the law fairly and evenhandedly in all matters before him.''

Professor Bibas also reminded us that he, like Justice Gorsuch and Justice Eid, believes in a fair-minded approach to the law. In his words, ''People need to know and believe that judges will apply the law impartially and evenhandedly to all litigants, regardless of their wealth or power.'' He is right. Let's join together in supporting him today.

I would like to once again thank Judiciary Committee Chairman GRASSLEY for all his work to bring these impressive nominees to the floor. Together with the President, we will continue working hard to put judges on the Federal courts who will uphold the law as it is written, not as they wish it were.

TAX REFORM

Mr. MCCONNELL. Mr. President, on another matter, the Obama years were not easy for America's middle class. For many, steady work became harder to find, paychecks stagnated, and opportunities faded. America's middle class deserves better after a decade of drift, and we are working hard to deliver for them.

Tax reform is the single most important thing we can do today to get the economy reaching for its true potential again. That is why the Senate recently passed the legislative tools to advance it. That is why the House recently did the same. And because we did, later today, after months of hard work, the House's tax-writing committee will unveil its version of tax reform legislation.

I commend Chairman BRADY and the members of the Ways and Means Committee for their hard work in unveiling this critical legislation today. This announcement is more positive momentum from our colleagues over in the House, and I look forward to continued work with them as we move forward. Here in the Senate, the Finance Committee will continue its work on tax reform legislation as well.

Both Chambers are working on this at full steam because we are committed to achieving our mutual tax reform goals for the middle class, working families, and small businesses. Our main goal is this: We want to take more money out of Washington's pockets and put more in yours. This goal is shared by the American people, it is shared by the President and his team, and it is shared by Republicans in the House and in the Senate.

The goals of tax reform used to be shared by our Democratic colleagues as well. Over many years, multiple Senate Democrats, including the Democratic leader himself, have called on Congress to pass reform. But then something changed. It was the President who changed, it seems.

Now we are reading reports that our friends across the aisle plan to oppose any tax reform bill at all, regardless of what is in it. It seems that Democratic leadership is praying that this chance to put more money in the pockets of the middle class will not succeed. But why? To protect incentives and encourage companies to ship jobs overseas? I thought they were against those. To prevent working families from keeping more of what they earn? I assumed we were all for that. According to recent news reporting, Democrats apparently want to tank tax cuts for the middle class because it might give them a political leg up. In other words, it seems that this is some kind of game to them.

I certainly hope what we read is not true. I certainly hope Democrats will take note of the fact that their latest false talking point about tax reform just got debunked today as well. This effort is way too important for any of that. I hope our friends will decide to work with our colleagues in a serious way instead. That is what their constituents sent them here to do, and that is what their constituents deserve after the last decade of economic disappointment. There is no reason for our Democratic friends not to work across the aisle in a serious way to help shape this critically important effort.

I thank Chairman HATCH and Chairman BRADY for their commitment to tax reform and regular order. Through the committee process, Members on both sides of the aisle will have the opportunity to offer input as the tax reform effort advances. Today's announcement is an important step forward for that process, as well as for our once-in-a-generation opportunity to fundamentally rethink our Tax Code and deliver real relief. It has been 30 years since we did that. It is time to do it again.

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the Eid nomination, which the clerk will report.

The legislative clerk read the nomination of Allison H. Eid, of Colorado, to be United States Circuit Judge for the Tenth Circuit.

The PRESIDING OFFICER. The Senator from West Virginia.

TAX REFORM

Mrs. CAPITO. Mr. President, I rise to give my fifth in a series of speeches addressing what I think will be a monumental achievement of this Senate and House when we pass our tax reform bill.

I have spoken previously about how I believe tax reform will be good in a lot of different ways. First of all, I talked about how this tax reform bill will spur economic growth in our country. Second, I talked about how it would grow jobs in small businesses. Third, I talked about the benefits working-class families will have through policies such as the child tax credit.

So today I rise to talk about the importance of tax simplification. According to a publisher who analyzed the issue, since 1913, the Federal Tax Code is 187 times longer than it was a century ago. On top of the Tax Code itself that spans thousands of pages, there are additional IRS regulations that are complicated, and you need somebody not just to figure them out for you and interpret them for you but to figure out how that translates to your own tax return. Of course, taxpayers have to comply with all of these.

Beyond the code and the regulations, there are countless IRS procedures, technical memorandums, and more, and all of this adds to the length and complexity of our tax system. You can see it when you turn toward the April 15 date, the stress level in this country really rises, and a lot of it has to do with the complications of our tax system.

The point is this, when it comes to figuring out your taxes, it is just far too complex. That is why businesses and individuals spend 6 billion hours a year complying with the Tax Code. That is more than 18 hours for every man, woman, and child in this country. That is equivalent to 3 million people working full time—3 million people working full time to comply with the Tax Code and fill out your tax forms or, another way of looking at it, that is $195 billion in lost productivity.

Again, our Tax Code is just too complicated, and that is also what tax reform is about, simplifying and making it easier for Americans to comply.

According to the Brookings Institution, ''The notion that taxes should be simpler is one of the very few propositions in tax policy that generates almost universal agreement.''

Despite years of bipartisan talks, we are now on the verge of major tax reform for the first time in 30 years. Making our Tax Code simpler will benefit every single working family in this country. By roughly doubling the standard deduction, filing your taxes will be easier and more understandable. The higher standard deduction will let more middle-class Americans benefit from not just lower taxes but also without the hassle of itemizing your tax return. Lower rates and fewer deductions will help all Americans spend less time and energy and worry on tax compliance.

Our goal is for the overwhelming number of Americans to be able to submit their tax forms on a single sheet of paper without all those extra forms, and for many families in West Virginia and around the country who already use the standard deduction, increasing it will reduce their taxes. Now, 83 percent of West Virginians last year—or maybe it was the year before, 2015, 2016—83 percent filed a simple form.

Simplicity in our Tax Code and relief for middle-class families, those are the reasons I offered a straightforward amendment to the Senate's budget resolution. My amendment said Congress should focus on eliminating deductions that primarily benefit wealthier individuals in favor of tax policy that benefits the middle class. Let me say that again. Congress should focus on eliminating deductions that primarily benefit wealthier individuals in favor of tax policy that benefits the middle class. That means a tax code that is simpler with fewer deductions and lower rates.

It will not just be individuals and families who benefit from a less complicated tax code. Tax simplification will help our small businesses start, grow, and succeed. Ninety-five percent of the businesses in my State of West Virginia are small businesses, and they employ over half of West Virginia's private sector workforce. So in addition to their high marginal tax rate, the complexity and compliance cost of their taxes impedes their economic growth, impedes their ability to grow their job, raise their wages, spur growth. A CNBC survey found that 22 percent of small business owners aren't sure what their effective tax rate really is. If Congress can simplify the code just to cut compliance costs in half, that would free up significant resources that could be used to grow the economy. Given that 50 percent of U.S. job growth has occurred in just 2 percent of our country's counties, we need that growth. Think about that. Over the last several years, 50 percent of the U.S. job growth has only occurred in 2 percent of our country's counties. We need the rest of the country to be able to enjoy that growth. To do that, we need to help the small businesses that are the major economic drivers in our economy.

Simplifying the Tax Code will benefit so many across this country through GDP growth and higher wages. I look forward to working with my colleagues to make tax reform and tax simplification a reality.

Thank you.

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

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

REPUBLICAN TAX PLAN

Mr. SCHUMER. Mr. President, later this morning, after months of hemming, hawing, and delaying, House Republicans will finally release some legislative details about their tax plan. It may not even include all the details. The on again, off again nature of these deliberations should concern every Member of both Chambers. That is not how you construct sound policy, especially with something as complicated and impactful as the Tax Code. Each decision has enormous ramifications. Last-minute changes and sloppy drafting could change the fate of entire industries. Rushing it through in a hasty manner could have disastrous consequences.

We know why my colleagues are doing this. They don't want the public to know what is in this bill—increases on the middle class, breaks for the wealthy, big corporations getting a huge tax break, with no guarantee and very little likelihood that they will use the money to create jobs. That is why they don't want it to be public. It is not popular. On polls, it says: Do you support tax reform? They say yes. Do you support cutting the taxes on big corporations? They say, overwhelming, no. Do you support increasing taxes on the middle class? Overwhelming, they say no. Do you support decreasing taxes on the wealthy? They say, overwhelming, no. Those are the three tenets of this bill.

I hope my Republican colleagues here in the Senate are watching what is going on in the House—the problems they are having, the secrecy they need—and realize how difficult and dangerous it is to rewrite the Tax Code by the seat of your pants. Looking at the Tax Code and real tax receipts after all the loopholes, the wealthy in our country pay far less in Federal taxes than they did historically while the middle class pays more. Corporate profits are at a record high, while average wages have been stagnant. Those statistics articulate a real problem with the basic fairness of our Tax Code that tax reform could underline and could fix. This plan doesn't.

Instead, what we are seeing today is a plan that exacerbates the unfairness and inequality in our Tax Code. If the details of the Republican tax plan are anything like we have seen in the press—to repeal the estate tax, to create a huge new loophole for wealthy individuals in the form of a reduction in the pass-through rate, and lowering the big rates on corporations and the wealthy—this sure doesn't fit the bill of helping the middle class.

Meanwhile, to pay for all the tax giveaways in their bill, the Republicans are likely to make it worse for the middle class—not just not help them but hurt them. It will slash State and local deductibility, which is a bedrock middle-class and upper middle class deduction, that would hurt so many middle-class taxpayers. Nearly one-third of all taxpayers claim it from all over the country, the vast majority of whom make under $200,000 a year.

Today, Republicans will crow about reaching a compromise on State and local, whereby they don't eliminate the deduction; they just reduce its value by about 70 percent. That means the bulk of the deduction will go away for so many middle class Americans. I would remind my Republican colleagues over in the House, particularly those from States like New York, New Jersey, California, Pennsylvania, Illinois, Virginia, and Colorado, that this compromise will not solve your problem. You will still pay the price with the voters.

I have been in politics a long time. I know how this will affect people—this compromise. They will not look and say: Oh, it could have been worse. Maybe we would have lost the entire deduction. They will say: This year, I have the whole deduction, and next year, I have less than half of it. They will take it out on our Republican colleagues who vote for it, particularly from those States, and they are throughout the country—in well-to-do and upper middle class and middle-class suburban districts.

So anyone who thinks this compromise is going to help them doesn't understand how politics works. It is not what it could have been. It is what it is and what it will be. Now it is a complete deduction. What it will be is that you will lose 70 percent of that deduction. No one is going to breathe a sigh of relief and say: I could have lost 100 percent.

Taxpayers will see that the Republicans have capped the amount of mortgage interest they can deduct from purchasing a new home now. That is the latest. Again, that hits right at the middle class. The mortgage deduction doesn't really affect the wealthiest. They have all their money in unearned income and capital gains, and all of that is what affects them the most. But the mortgage deduction is one of the hearts of the middle class. To play with it—to reduce it, to cap it, so they can do tax giveaways for the very rich—is not going to fly, I don't think—not in America, not in the America most of us know.

Taxpayers in the big cities and small ones, in the exurbs and suburbs, who

commute to work, will also notice if they never receive the critical transit benefits they receive now. Thousands of dollars a year that help pay when you transit to work will be gone. Why? To help the wealthy.

While some working Americans and middle-class taxpayers watch their taxes go up, they will read about how Republicans repealed the estate tax, which benefits only 5,500 families whose estates are worth over $5 million. They will learn how, instead of keeping the estate tax or closing the egregious carried-interest loopholes, the Republicans reached into their pockets—the middle-class pockets—to pay for a big corporate tax break that has no guarantee and very little likelihood of producing jobs. They will learn that, while the reduction to the corporate tax rate is permanent, the increase in the child tax credit is temporary.

Big, wealthy corporations count far more than kids in this bill. Corporations get permanent benefits, and families with kids get temporary and meager ones.

The Tax Code is a reflection of fairness in our society. Do we want to be in a country where everyone pays their fair share, including big corporations and the very wealthy? I think so. I think most Americans agree with that. Yet right now, our Tax Code is slanted in favor of the rich and the powerful, and the Republican plan makes it only worse.

The Republican tax plan would put two thumbs down on a scale already tipped toward the wealthy and powerful. It wouldn't create jobs. It wouldn't raise wages. The Tax Policy Center, as we know, estimated that 80 percent of the benefits of the Republican plan go to the top 1 percent—this new bill doesn't change that a bit—while nearly one-third of middle-class Americans would see a tax increase; 80 percent of the benefits to the top of our country, 20 percent of the benefits to the other 99 percent. That is not a middle-class tax bill, as President Trump said it would be.

Surely, we can do better. If our colleagues—whether it be in the House or Senate, our Republican colleagues who are trying to go it alone—can't pass this bill, we would welcome them. We would welcome an opportunity to sit down together and come up with a bill that really helps the middle class.

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

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

TAX REFORM

Mr. COTTON. Mr. President, today is an important day on our promise to deliver tax relief for America's working families and our businesses, to create more jobs and grow our economy faster. The House Ways and Means Committee is about to unveil their first draft of a tax cut bill. That is a good step forward after we both passed our budgets a couple of weeks ago.

As we move forward through this process, it is important that we all recognize that tax cuts are a way to let the American people and our businesses keep more of their money, not the government's money but their money. We also have to be mindful of the impact it has on our staggering national debt of over $20 trillion and rising deficits. We can expect the economy to grow at a much healthier rate than it has in recent years if we pass a good tax bill. But we also need to look for other ways to offset the costs of those tax cuts to a degree.

There have been a lot of discussions during the year about what I would consider unwise and painful changes to our tax law. Eliminating deductions, credits, exclusions, exemptions—they are popular and widespread. Some people call that the spinach, in addition to the ice cream of tax cuts.

However, I have what I would call maybe a creative idea, a novel idea—one that I think is gaining momentum in the Senate and in the House. We can repeal the individual mandate of ObamaCare and save $300 to $400 billion for the Federal Government and therefore deliver more tax relief to our families and our workers and our businesses. That is not my math. That is the math of the Congressional Budget Office. They have said repeatedly that eliminating the individual mandate of ObamaCare would save $300 to $400 billion. That is a lot of tax cuts.

The individual mandate has also been the most unpopular part of ObamaCare. More than two-thirds of Americans want to see it repealed. The House has voted repeatedly to repeal it. The Senate has voted to repeal it. Even some Democrats have said that they want to repeal the individual mandate as well. It is the first time in our country's history, after all, that the Federal Government has said: You must buy the product of a private company for the mere privilege of being an American citizen.

We also know that the individual mandate simply has not worked. It was designed to hold down premiums on the ObamaCare exchanges. That has not been the case. Despite the individual mandate being in place now for 4 years, we continue to see premiums spiral out of control. So I think it is a pretty reasonable proposal to repeal the most hated part of ObamaCare to help pay for tax cuts the American people want rather than trying to eliminate popular and widely used deductions, credits, exemptions, and exclusions.

Moreover, it allows us to make more of the tax cut bill permanent because the $300 to $400 billion savings over a 10-year period is just a 10-year period, but it will continue to save money after those 10 years. With the crazy way we do our budgeting around here, that allows us to make more of those tax cuts permanent so that our families and our businesses can have greater predictability to save and invest and grow our economy.

It is also a kind of tax cut for working-class Americans in its own right. According to IRS data, more than five out of six households that paid the mandate fine last year made less than the median income. They were in the bottom half of income earners.

So what are we doing? We are imposing a fine on the working class and working poor because they can't afford the insurance that ObamaCare made unaffordable in the first place. That is crazy.

We can do this in a way that makes it easier to pass a tax bill. I know some of my colleagues around here, especially some of my Republican colleagues, say: Oh, no. We can't go back to healthcare. It is going to make the tax bill a little harder to pass. That is nonsense. It makes the tax bill easier to pass—easier to pass because it helps make the fiscal picture balance, and it helps deliver more tax cuts to our families and our businesses back home.

Some of my Democratic colleagues, drawing on that same estimate from the Congressional Budget Office, will say: You are going to take healthcare away from 15 million people. That is nonsense. This bill doesn't cut a single dime out of ObamaCare, not even one penny, not one penny taken out of Medicaid, not one penny taken out of the subsidies from the exchanges, not a single regulation change. It simply says that the IRS will not fine you if you cannot afford the insurance that ObamaCare made unaffordable.

The $300 to $400 billion—even in Washington, that is a lot of money, and that is money that is better left in the pockets of America's workers and families and on the financial statements of businesses that are looking to expand their operations, increase their wages, and hire more workers.

No, this hasn't been part of the tax debate for a long time. This Chamber considered repealing the mandate as part of our healthcare debate, but the Obama administration called the individual mandate a tax.

In 2012, the Supreme Court upheld its constitutionality saying that it was a tax. The IRS collects it. You pay it on your 1040. That is about the ''taxiest'' provision I can think of.

Let's make a commonsense decision, even if it is a little late in the game. Repeal the individual mandate. Pay for more tax cuts for families and businesses. Make a tax bill easier to pass. Deliver on the promise that we made to the American people to repeal the most unpopular part of ObamaCare and have a very big victory for the American people.

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. FLAKE. 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. FLAKE. Mr. President, we currently have the highest Federal corporate tax rate in the developed world. Businesses are moving from here overseas to seek a friendlier tax environment.

If we are going to compete globally—and we are in a global economy—we have to have a conducive tax and regulatory environment to do so. We don't have a conducive tax environment now. We cannot compete globally with the second highest or the highest corporate tax rate in the developed world.

We also have a tax code that is far too complicated. Taxpayers and companies alike spend about 9 billion hours a year—9 billion hours a year—combined with IRS requirements, and this costs the U.S. economy more than $400 billion a year. This is just compliance costs.

The Tax Code is also full of costly loopholes which allow businesses and millions of individuals to get away with paying no income tax or no corporate tax.

After over 30 years, I am pleased to see Congress finally getting down to the work of doing a tax overhaul. A few weeks ago, we passed a budget that allows some cuts—about $1.5 trillion. I believe that when we do cut certain taxes, it does generate a greater economic activity, which does in turn mean additional revenue to government. However, there are limits to that model. We cannot simply assume we can cut all taxes and realize additional revenue. It is important that tax reform comes as well.

We have been hearing a lot about cuts, cuts, cuts. If we are going to do cuts, cuts, cuts, we have to do a wholesale reform. With the national debt exceeding $20 trillion, we have to take this seriously. Rate reductions have to be accompanied by repeal or reform. We cannot simply rely on rosy economic assumptions, rosy growth rates to fill in the gap. We have to make tough decisions. We cannot have cuts today that assume we will grow a backbone in the out-years in terms of the real reforms we are going to need. We have seen this before. We make the cuts now; we rely on rosy economic assumptions; and then, in the out-years, if those don't come about, we forget what we were supposed to do in terms of reform. We can't do that today, not with a debt of $20 trillion, not with a deficit of over $600 billion a year adding to that total debt.

I welcome this opportunity to do tax reform. It is needed. As I mentioned, we have to have a conducive tax and regulatory environment in order to compete, but we have to be realistic as well about what we can achieve, and we can't push off the reforms for cuts today.

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

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

SAVE ACT

Mr. COLLINS. Mr. President, today I rise with my colleague from New Mexico, Senator HEINRICH, to discuss the Securing America's Voting Equipment Act of 2017, or the SAVE Act, which we introduced earlier this week.

I know that you are well aware that the Senate Intelligence Committee has been conducting an in-depth investigation into attempts by the Russians to interfere with our elections last fall. What we have found is that the Russians' active measures preceded last fall, and they continue to this very day.

We have an election coming up in November of this year and a major election next year, and both Senator HEINRICH and I believe that it is so important that we act to assist States in protecting the integrity of their voting systems.

Our bill seeks to facilitate information sharing on the threats posed to State election systems by foreign adversaries, to provide guidance to States on how to protect their systems against nefarious activity, and, for States that choose to do so, to allow them to access some Federal grant money to implement best practices to protect their systems.

Let me be clear that I know of no evidence to date that actual vote tabulations were manipulated in any State in the elections last fall. Nevertheless, as early as the summer of 2016, the FBI discovered that foreign-based hackers had gained access to voter registration databases in two States. The Department of Homeland Security confirmed that Russia-linked actors attempted to access voter rolls and registration data in those two States.

More alarming is that further investigation revealed that many more States than just two were ultimately found to have had their voting systems probed by the Russians. The Department of Homeland Security notified election officials in a total of 21 States that their election systems had been targeted by Russian Government-linked hackers.

If voter rolls were altered or voting equipment tampered with, a compromise of these systems could open the door to voter disenfranchisement and would undermine public confidence and the integrity of our free and fair elections—a bedrock principle of our democracy.

In response to these alarming threats, the SAVE Act would assist States in hardening their systems. It does not aim to tell States how to conduct their elections. The responsibility for conducting elections would remain with each State, as has been our country's tradition since its founding. State and local election officials alone, however, cannot be expected to defend against cyber attacks from foreign adversaries. That is why our bill seeks to bring to bear the unique authorities, capabilities, and resources that the Federal Government can offer to State and local election officials.

Let me briefly describe the Heinrich-Collins bill.

First, our bill would codify a decision made by both Secretaries of Homeland Security, Jeh Johnson and John Kelly, to designate election systems as ''critical infrastructure.'' This designation allows DHS to prioritize providing assistance to election jurisdictions and to establish formal mechanisms to enhance information sharing and collaboration within the electoral sector. More than 30 States took advantage of DHS's offer of assistance last year.

Our bill also addresses a shortcoming that I raised during a hearing before the Senate Intelligence Committee in June regarding foreign efforts to compromise American voting systems. During this hearing, we learned that not a single secretary of state had been cleared to receive classified information before the 2016 election or in the 6 months since voting systems had been declared as critical infrastructure. This delay is truly inexplicable. We have to be able to share this critical information in order for State election officials to take the necessary steps to safeguard their systems.

Our bill addresses this limitation on information sharing by authorizing the Director of National Intelligence to provide security clearances to designated chief election officials in each State. That way, the intelligence community can share appropriate classified information with States regarding foreign threats targeting election systems.

Our bill also mandates that DHS conduct a threat assessment on physical and electronic risks to voting systems. Then, in collaboration with stakeholders, the Department will develop best practices to address those risks.

A few simple measures can make a big difference. Best practices like relying upon paper ballots, as the State of Maine currently does, and conducting postelection audits to ensure that the tabulation by vote-counting machines matches the results of the paper ballots can bolster both resilience and public confidence in the integrity of the voting process.

Finally, our bill creates a Federal grant program available for States to upgrade and safeguard the integrity of their systems by implementing the best practices that have been identified.

Last year, the Russian Government sought to disrupt our democracy by threatening the integrity of our elections. It is incumbent upon Congress to

assist the States and those charged with conducting elections at the local, State, and Federal level to protect them from foreign interference. Our bill would do just that.

I am very pleased to work with the leader on this effort, Senator HEINRICH, and I would urge all of our colleagues to join Senator HEINRICH and me in sponsoring this bill.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I want to start by thanking my Republican colleague from Maine, Senator SUSAN COLLINS, for her work on this legislation. In addition to her excellent work on the Intelligence Committee, her experience in homeland security and critical infrastructure was absolutely critical to the drafting of this legislation.

As current members of the Senate Select Committee on Intelligence, we are continuing to work on the investigation into Russian interference in the 2016 Presidential election. Yesterday, our committee held an important open hearing where we had representatives from companies such as Facebook, Google, and Twitter. We know that Russian Government-linked actors purchased online advertisements last year in order to influence voters and, frankly, in order to divide Americans. Additionally, Russia used bots and trolls to spread misinformation and division organically through social media networks.

While the President has labeled reports of these ads as a ''hoax,'' now that Facebook has actually released many of those ads and acknowledged their extensive reach last year, I hope we can all agree that this is a problem which we must solve before future election cycles.

I have called on the Federal Election Commission to consider new guidance on how online advertisement platforms can better prevent foreign nationals from illicitly spending in future U.S. elections. I certainly support legislation to require the same transparency for online political ads that we currently enjoy for television or print or radio ads. These are simple, straightforward steps we can and must take to protect the sanctity of our democracy.

We also know, based on intelligence assessments, that as part of Russia's larger hostile effort to interfere in last year's election, Russian actors targeted State election voting centers and State-level voting registration databases—the very heart of the infrastructure we all rely on for free and fair elections. In my view, these intrusions demonstrate a troubling vulnerability to potential future cyber attacks and manipulations by foreign hackers of our elections and our democratic process.

Our democracy fundamentally hinges on protecting the rights of Americans to be able to fairly choose their own leaders. That is why I am proud to be partnering with Senator COLLINS in introducing the bipartisan Securing America's Voting Equipment Act, or the SAVE Act, to provide increased security for American election systems. I am proud to join Senator COLLINS on the floor today to demonstrate our commitment to being able to move forward in a bipartisan and pragmatic way to find solutions to protect the integrity of that voting process.

Our bipartisan legislation would permanently designate State-run election systems as ''critical infrastructure,'' and it would require the Department of Homeland Security to create a Federal grant program to help States upgrade the physical, electronic, and even the administrative components of their voting systems and develop those best practices that Senator COLLINS mentioned in her speech earlier.

The SAVE Act would also require the Director of National Intelligence to sponsor security clearances to the officials responsible for the administration and certification of Federal elections in each State—usually our secretaries of state. The Director of National Intelligence would then share all appropriate classified information with those State officials to help them protect their election systems from these kinds of security threats.

Finally, the SAVE Act would create a Federal competition that would award computer programmers who discover vulnerabilities in nonactive voting systems so that the equipment and the software vendors can work to fix those vulnerabilities.

The SAVE Act does not aim to tell States how to conduct their elections or what policies or procedures or equipment is best where they are; rather, this bill is designed to facilitate information sharing with States, to provide guidelines on how best to secure those systems, and to allow States to access funds to develop solutions and implement best practices in response to these threats.

I consulted closely with my own Secretary of State from New Mexico, Secretary of State Maggie Toulouse Oliver, in drafting this legislation to ensure that it provides the security measures State election officials need to keep our voting systems secure. I commend Secretary Toulouse Oliver for her tremendous leadership in the effort to safeguard election infrastructure at the State level.

We are at a critical juncture in the Russia investigation in which the public is beginning to see the tactical evidence of how the Kremlin sought to influence our elections and divide our populous. Until we set up stronger protections of our election systems and take the necessary steps to prevent future foreign influence campaigns, our Nation's democratic institutions will remain vulnerable. But we have the tools to fix those vulnerabilities. I look forward to working with Senator COLLINS and all of our colleagues on both sides of the aisle to ensure that we do that.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I ask unanimous consent that I be allowed to complete my remarks prior to the vote.

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

Mr. GARDNER. Mr. President, I will be brief in my remarks. We are about to vote on the confirmation of Allison Eid to become a judge on the U.S. Circuit Court of Appeals for the Tenth Circuit, which is housed in Denver, CO.

I have had the privilege and honor of knowing Justice Eid for over a decade. Justice Eid now serves on the Colorado Supreme Court. I have known Justice Eid since the time I was a young law student, 6 foot 4 and with black hair. That is how long I have known Justice Eid. I am very honored to have worked with her.

I know that a lot of my classmates who had her as a professor are people who shared political perspectives that were far different from Justice Eid's, but they never criticized her teaching. They always found her to be open-minded and open to debate of other's views.

Most importantly, what Justice Eid will do, once confirmed to the Tenth Circuit Court, is to make sure that she rules based on the law, not on personal opinion or preferences but how the law dictates. That is the kind of judge she will be and continues to be, from the supreme court to the circuit court. She will be somebody who is a guardian of the Constitution, as our Founders were hoping we would see on our Federal courts when they wrote the Constitution.

I have a letter that I ask unanimous consent be printed in the RECORD. It is from the National Native American Bar Association in support of Ms. Eid's nomination.

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

NATIONAL NATIVE AMERICAN BAR ASSOCIATION,
July 12, 2017.

Re National Native American Bar Association Support for Confirmation of Colorado Supreme Court Justice Allison Eid to the Tenth Circuit Court of Appeals.

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

Hon. MITCH MCCONNELL,
Majority Leader,
Washington, DC.

Hon. CHARLES SCHUMER,
Minority Leader,
Washington, DC.

Hon. MICHAEL BENNET,
Washington, DC.

Hon. CORY GARDNER,
Washington, DC.

Hon. STEVEN DAINES,
Washington, DC.

DEAR SENATORS: As President of the National Native American Bar Association, it is my privilege to endorse Colorado Supreme Court Justice Allison Eid to be a Judge on the United States Court of Appeals for the Tenth Circuit. Since she began her tenure on the Colorado Supreme Court in 2006, and indeed throughout her legal career before her

appointment to the bench, Justice Eid has demonstrated deep understanding of federal Indian law and policy matters, as well as significant respect for tribes as governments. Such qualities and experiences are rare among nominees to the federal bench and consequently, many in Indian Country strongly support Justice Eid's confirmation.

The National Native American Bar Association's mission is to advance justice for Native Americans. As our name implies, NNABA represents the interests of all populations indigenous to the lands which are now collectively the United States: American Indians, Alaska Natives, and Native Hawaiians. Our members include Native American attorneys, Indian law practitioners and professors, as well as numerous tribal court advocates and tribal court judges. As you know, all branches of the Federal government play an integral role in justice for Native Americans and their government-to-government relationship with the United States. The unique legal posture of Indian tribes to the federal government is deeply rooted in American history and has always been heavily intertwined with often-shifting federal Indian policy, but often a central role in justice for Native Americans rests with the federal courts. Yet nearly all federal courts have suffered without any Native voice on the bench and often without judges with knowledge of federal Indian law or familiarity with Indian Country. NNABA strongly encourages the confirmation of judges with experience or interest in federal Indian law and who respect the role of tribal sovereigns under the Constitution and treaties with the United States. It is NNABA's honor and privilege to commend for your consideration for the confirmation of Justice Allison Eid, who exemplifies those qualities and who is also an exceptionally well-qualified candidate in every other regard, as well as the first Colorado woman to be nominated to the Tenth Circuit.

Her academic credentials are excellent. Raised by a single mother in Spokane, Washington, Justice Eid began college at the University of Idaho and then transferred to Stanford University where she graduated with distinction and was a member of the Phi Beta Kappa honor society. After Stanford, Justice Eid served as a speechwriter to President Ronald Reagan's Secretary of Education, William Bennett. She went on to attend the University of Chicago Law School where she served as Articles Editor on the Law Review, graduated with High Honors, and was elected Order of the Coif. Justice Eid began her legal career as a law clerk for Judge Jerry Smith on the United States Court of Appeals for the Fifth Circuit. She then served as a law clerk to Justice Clarence Thomas on the United States Supreme Court.

In private practice at Arnold and Porter following her clerkships, Justice Eid practiced both commercial and appellate litigation for a variety of clients, including significantly for the Hopi Tribe. She was a key part of litigation teams asserting the Hopi Tribe's sovereign rights in litigation against the United States Department of the Interior, for example in the so-called ''Bennett Freeze'' litigation, wherein the Hopi Tribe sought the right to develop its lands and resources despite a federal moratorium on such development.

Justice Eid later became a tenured professor at the University of Colorado Law School where she taught Legislation, Constitutional Law, and Torts, and served as the faculty clerkship advisor. During her time at the University of Colorado, Justice Eid continued her service in the legal community, being active in a number of bar organizations and serving as a frequent speaker and author. In 2005 she was appointed by Colorado Attorney General John Suthers to serve as the Solicitor General of Colorado. One year later, Governor Bill Owens appointed Justice Eid to the Colorado Supreme Court where she has served for 11 years, and was successfully retained by the voters of Colorado on a statewide ballot. While serving as a Justice on the Colorado Supreme Court, Justice Eid has continued to teach at the University of Colorado. She also serves as the Chair of the Supreme Court Water Court Committee which works to identify rule and statutory changes to achieve efficiencies in water court cases, while maintaining quality outcomes for all. Justice Eid was also appointed by Chief Justice John Roberts to serve on the Federal Advisory Committee on Appellate Rules—a prestigious appointment where she has served alongside federal judges, law professors, and lawyers to craft revisions to the Federal Rules of Appellate Procedure—including her support for efforts to allow tribes to file amicus briefs as of right at the Supreme Court just as state governments can. Justice Eid is also active in her community and church. As the mother of two children, Justice Eid has volunteered numerous hours at her children's schools and for their extracurricular activities.

NNABA is very concerned that federal appointees, whether judicial, executive branch or independent agency representatives, be well versed in and respectful of tribal sovereignty. Justice Eid has significantly more experience with Indian law cases than any other recent Circuit Court nominee. Her Indian law cases generally reflect her respect for tribes as sovereign governments and understanding of tribes' roles in our federalism. Justice Eid has been involved in five Indian law cases, each addressing only a subset of myriad issues of importance to Indian tribes. We have examined Justice Eid's record and are heartened by the respect and fairness she has always shown tribes appearing before the Colorado Supreme Court. We have canvassed NNABA members who have appeared before or clerked for Justice Eid (yes, Justice Eid has hired a Native American law clerk!) and received unanimous positive feedback.

Justice Eid has knowledge gained from living in and working in a State which has Indian Country and strong tribal governments, and also from being the spouse of a noted American Indian Law practitioner, Mr. Troy Eid, who served as Chair of the Indian Law and Order Commission, as the United States Attorney for Colorado from 2006–2009, and who now co-chairs the national Indian law practice group at Greenberg Traurig LLP, is admitted to practice before numerous tribal courts and serves as a Tribal appointee on the Navajo Nation Commission on Judicial Conduct. Her husband is widely regarded as an expert in Indian law, and in particular on tribal law enforcement and access to justice issues. In her personal life, Justice Eid regularly interacts with tribal leaders and Native American lawyers and often brings that knowledge to bear on the bench. We believe her to be a conscientious, diligent, careful and scholarly jurist. Each NNABA member we heard from concluded that Justice Eid is a woman of integrity and extremely well-qualified for the Tenth Circuit.

NNABA has long sought the nomination of federal judges with knowledge of federal Indian law, and more generally with experience on western issues directly impacting Indian tribes such as water law and public lands. With Justice Neil Gorsuch's elevation to the U.S. Supreme Court, that knowledge base and experience is lacking in the current makeup of the Tenth Circuit, and is a vitally important perspective. In short, Justice Eid has shown herself to be interested and engaged and willing to make the federal judiciary more accessible to tribes, who regrettably often find themselves in the position of federal court litigants.

On the Colorado Supreme Court, Justice Eid has always ''gotten it right'' on Indian law matters, as reflected in her majority opinion in Pawnee Well Users v. Wolfe, 320 P.3d 320 (Colo. 2013) (tribal water rights), in her joining of the dissent in Southern Ute v. King Consolidated Ditch Co., 250 P.3d 1226 (Colo. 2011), and in her votes to grant certiorari in TMR v. TER, 2013 WL 3809175 (Indian Child Welfare Act case) and Begaye v. People, 2011 WL 6162622 (Batson challenge involving Native American jury pool). We also note her important concurring opinion in Cash Advance & Preferred Cash Loans v. State, 242 P.3d 1099 (Colo. 2010), principally a case about tribal enterprises' sovereign immunity from suit and service of process. This opinion illustrates Justice Eid's respect for tribal sovereignty and we think is emblematic of the practicality, fairness, the careful attention to what the law requires, and the accessibility of writing style that she would bring to the Tenth Circuit.

In sum, while we do not expect that Justice Eid will agree with tribal interests on every issue, we also believe that she is immensely well qualified and we are confident that Justice Eid is a mainstream, commonsense Westerner who will rule fairly on Indian Country matters. We endorse her confirmation to serve.

Thank you for considering our views.

And special thanks to Senators Daines and Gardner, who have consistently solicited feedback from tribes and tribal organizations regarding federal judicial nominations. NNABA appreciates your continued commitment to Indian country, to fortifying the government-to-government relationship between the United States and tribes, and to ensuring that Native American voices are heard at the highest levels of the federal government.

If you have any further questions, do not hesitate to contact our NNABA Nominations and Endorsements Committee Chair, and Immediate Past NNABA President Jennifer Weddle.

Respectfully and humbly,

DIANDRA BENALLY,
President, National Native American Bar Association, 2017–2018.

Mr. GARDNER. I ask for the support of my colleagues for Justice Eid's confirmation to the U.S. Court of Appeals for the Tenth Circuit.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Eid nomination?

Mr. WICKER. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 259 Ex.]

YEAS—56

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

NAYS—41

Baldwin	Gillibrand	Peters
Blumenthal	Harris	Reed
Booker	Hassan	Sanders
Brown	Heinrich	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Coons	Leahy	Udall
Cortez Masto	Markey	Van Hollen
Duckworth	Merkley	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Franken	Nelson	

NOT VOTING—3

McCaskill	Menendez	Warner

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. 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 Stephanos Bibas, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Mitch McConnell, Steve Daines, Tom Cotton, Pat Roberts, John Boozman, Mike Rounds, Patrick J. Toomey, John Barrasso, Cory Gardner, Richard Burr, Thom Tillis, Roger F. Wicker, James E. Risch, John Cornyn, Lamar Alexander, Dan Sullivan, 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 Stephanos Bibas, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 43, as follows:

[Rollcall Vote No. 260 Ex.]

YEAS—54

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

NAYS—43

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Heitkamp	Schumer
Cantwell	Hirono	Shaheen
Cardin	Kaine	Stabenow
Carper	King	Tester
Casey	Klobuchar	Udall
Coons	Leahy	Van Hollen
Cortez Masto	Markey	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NOT VOTING—3

McCaskill	Menendez	Warner

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 43.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Stephanos Bibas, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

The PRESIDING OFFICER. The Senator from Pennsylvania.

TAX REFORM

Mr. TOOMEY. Madam President, I rise to speak about the nomination of Professor Stephanos Bibas, on whom we have just invoked cloture, but before I do that, I want to take a quick moment to observe that we had a big development today—a big development in that the House of Representatives, the majority Ways and Means Committee members, led by KEVIN BRADY and Speaker of the House PAUL RYAN, have unveiled a tax reform plan that is a very exciting step forward in our ambition to bring tax relief and is a direct pay raise to hard-working Americans whom we represent, creating an environment where we could have much stronger economic growth and much more opportunity and rising wages for the American people.

So I congratulate Chairman BRADY and all the members of the Ways and Means Committee. I know this process has a long way to go, but they are off to a great start with a very solid bill. I look forward to continuing to work with my colleagues on the Finance Committee as we finalize our version of the pro-middle-class, pro-growth tax reform, and I am excited to see that step forward.

Madam President, let me get back to the issue of the candidacy of Professor Stephanos Bibas and say how enthusiastically I support his candidacy to serve as a judge on the U.S. Court of Appeals for the Third Circuit.

I thank the President for nominating Professor Bibas, I thank Chairman GRASSLEY for moving Professor Bibas through the nomination process of his committee, and I thank Leader MCCONNELL for bringing Professor Bibas's nomination to the floor. I also thank my colleagues who just voted to invoke cloture so that later today we can vote to confirm this terrifically well-qualified man to a really important court.

Let me touch on some of his qualities. Professor Bibas has a tremendous wealth of experience in the law as a legal scholar and a practicing attorney, so much so that the American Bar Association voted to give him a unanimous rating of ''well-qualified,'' and let me tell you why. No. 1, he starts with outstanding academic credentials. Professor Bibas graduated summa cum laude and Phi Beta Kappa from Columbia University, and he did so at the age of 19. After Columbia, he studied at Oxford University in England and earned his law degree from Yale University.

He has clerked at the highest levels of our Federal court system. He clerked for U.S. Supreme Court Justice Anthony Kennedy and Judge Patrick Higginbotham on the U.S. Court of Appeals for the Fifth Circuit.

The fact is, Professor Bibas is an accomplished legal scholar. For 16 years, he has served as law professor at two outstanding universities—the University of Iowa College of Law and the University of Pennsylvania School of Law. Professor Bibas has been a prolific author whose academic writings are frequently cited by the U.S. Supreme Court, courts of appeals, and other law professors. He has written two books and more than 60 articles, many of which have focused on criminal law and procedures. In fact, in his writings, he has expressed views regarding criminal justice reform that I suspect many of my Democratic colleagues would share. For instance, Professor Bibas has criticized what he sees as the overuse of plea bargains in our courts as being unfair to criminal defendants who then never get their day in court.

So there is no question that Professor Bibas has very extensive academic credentials, but he is also an experienced attorney. He has served on both sides of our criminal justice system. He has been a prosecutor, and he

has been a defense attorney. He has a balanced perspective from both sides of this part of our judicial system. He served as a Federal prosecutor in New York City, where he prosecuted over 100 criminal cases.

Currently, he is the director of the Supreme Court Clinic at the University of Pennsylvania. Professor Bibas also argued six cases before the U.S. Supreme Court. He won a landmark U.S. Supreme Court decision for a criminal defendant in the Padilla v. Kentucky case, a case that held criminal defense attorneys must advise their noncitizen clients about the deportation risk associated with a guilty plea. That was a Professor Bibas case. He has represented dozens of other clients before the Supreme Court, and most of those cases were pro bono clients—clients he did not charge any fees because they couldn't afford experienced counsel. He voluntarily provided that service for them.

Over the course of the work he has done, as a result of the work he has done for the Supreme Court, he has been praised by both Justices Kagan and Ginsberg. Justice Ginsberg praised him as ''among the very best of lawyers presenting cases to the Supreme Court.''

I hope all of my colleagues will support Professor Bibas's nomination. He has outstanding credentials, he has a wealth of experience, and I hope everyone will see that in his background.

I must state I am disappointed that Senator DURBIN, our colleague from Illinois, has stated that he opposes Professor Bibas's nomination. Senator DURBIN has stated that his opposition is because of an unpublished academic paper that Professor Bibas drafted in 2009. In that paper, he proposed the consideration of the use of corporal punishment as an alternative to imprisonment for certain criminal offenses, but Professor Bibas has stated unequivocally that he decided not to publish the paper because he realized that idea was wrong, was deeply offensive, and he does not support corporal punishment for criminals.

Professor Bibas also testified at his confirmation hearing that he fully understands and respects the difference between the role of a professor who considers theoretical questions and writes about them, on the one hand, versus, on the other hand, a judge who is deciding cases that impact the lives of real people.

One of the most important reasons I am an enthusiastic supporter of Professor Bibas is his clear understanding of the role of a judge in the American constitutional system. From my review of his record and from my conversation with him, it is clear he understands the proper role of a judge is to apply the law, including the Constitution, as written and not to make policy himself and that his obligation is to treat everyone absolutely equally, regardless of race, sex, wealth, political affiliation, political connections, or anything else.

Unfortunately, many liberals and progressives have a very different view of a judge. Many of my colleagues and others believe the Constitution is a living document, by which they mean that it really means whatever a judge decides it means. Under this view, changes to the law and Constitution can be made by unelected, unaccountable judges who then substitute their policy preference for the preference of the American people as reflected in their elected representatives. Some who hold this view even think judges should take into account such factors as a person's race, sex, wealth, or political affiliation in deciding cases. In my view, that is a deeply flawed view of the law and is fundamentally inconsistent with the principles of the separation of powers that is essential to our democracy, the sovereignty of the American people, and the fair and equal application of the law to all people. Contrary to this view, Professor Bibas understands the proper role of a judge is to apply the law as written and to treat everyone who comes before him equally, not to impose his policy preferences or impose the law differently for different people.

Finally, let me say a word about Professor Bibas's temperament and suitability for the bench. I think it is very clear that not only does he understand the role a judge is supposed to play, but he is a man of character and of a temperament that makes him very fit to be a judge. I will give you an example. In one letter of support for his nomination, a bipartisan group of 121 law professors from across the ideological spectrum stated that ''his fairmindedness, conscientiousness, and personal integrity are beyond question.''

In another quote, ''We have no doubt that his judicial temperament will reflect these qualities and that he will faithfully discharge his duty to apply the law fairly and evenhandedly in all matters before him.''

I am very pleased and proud to support Professor Bibas's nomination to the Third Circuit. I am completely confident he has the intellect, experience, temperament, and respect for the limited role of a judge in our system, those attributes that are necessary for him to excel as a Federal appellate judge, and I am pleased to speak on behalf of this highly qualified nominee. I urge all of my colleagues to support his confirmation.

Mr. President, I ask unanimous consent that notwithstanding rule XXII, all postcloture time on the Bibas nomination expire at 1:45 p.m. today.

The PRESIDING OFFICER (Mr. SASSE). Is there objection?

Without objection, it is so ordered.

The Senator from Maryland.

TAX REFORM

Mr. VAN HOLLEN. Mr. President, I see my friend and colleague from Pennsylvania on the floor. We have worked together on a number of things over the years, including now, working together to impose and really enforce sanctions against North Korea, putting together a bill modeled after the Iran sanctions bill so we are serious about working to get China and others to come to the table. I thank my colleague for his work on that.

Where we disagree strongly is on the bill that has emerged from the House of Representatives, the so-called tax reform bill. The Senator from Pennsylvania said people should be excited to see it. I can assure you, if you are a millionaire or billionaire, you are going to be really excited about the bill that is coming out of the House and supported by President Trump.

I want to talk a little bit about tax reform because we need tax reform in America. We need to simplify our Tax Code. It has been gummed up over many years with special tax breaks that are there not because they make good sense for the American people but because somebody was able to hire a high-priced lobbyist to give them a break the rest of the country does not enjoy. We need to simplify our Tax Code, and we need to reform our Tax Code.

Unfortunately, what we are seeing come from Republicans today, supported by the Trump administration, doesn't do that. In fact, what it will do is provide full-time employment for tax accountants around the country because it creates all sorts of special provisions for powerful, special interests. It will dramatically cut taxes for big multinational corporations and for millionaires and billionaires, and everybody else is going to be left to pick up the bill in one way or another.

Now we know why this has been cooked up behind closed doors for so long. People knew it would have a lot of turbulence when it emerged. Secondly, we know why there is such a desperate effort to ram this huge tax proposal through the House and the Senate—because people don't want the American people to figure out exactly what is in it because when they do, they are going to see it is bad for everybody but the folks who are at the very top or who are very powerful.

The good news is that people have scrambled to begin to look at this. In fact, certain groups like Realtors—we all have Realtors in all our neighborhoods. They are often very connected to our community. They know exactly what is going on. So they have been monitoring this Republican tax plan and raising concerns about it. In fact, they said just a few days ago that because there was this effort ''to speed tax legislation through the House by Thanksgiving and get it to Mr. Trump by the end of the year, 'we didn't feel like we could wait,'" said the representatives from the National Association of Realtors.

So they began to do an analysis of the impact, and here is what they had to say today when they caught a glimpse of what was actually in the Republican Trump bill. They said that

they are reviewing the details, but at first glance it appears to ''confirm many of our biggest concerns'' about the plan. ''Eliminating or nullifying the tax incentives for homeownership puts home values and middle class homeowners at risk.''

We will be hearing more from them, but they commissioned a study that was done by PricewaterhouseCoopers, which concluded that if you have adjusted gross income between $50,000 and $200,000 and you are a homeowner, on average, you are going to see your taxes go up. They also concluded that home values around the country would fall by 10 percent—not sure when they would begin to recover, but they would fall by 10 percent. Home values would go down, and taxes for middle-class homeowners would go up.

Homebuilders, who are a really important part of our economy, are already against this strongly. They have made it clear that this would hurt new homebuilding around the country, which, as we know, is an important driver in our economy.

Even NFIB, the National Federation of Independent Business, took a look at the bill and said: ''[It] leaves too many small businesses behind.''

I will tell you exactly who this helps. This helps big, multinational corporations. When you drop the tax rate to 20 percent, they get a $2 trillion tax windfall. I would be happy to talk to my colleagues about corporate tax reform that doesn't blow up the deficit, but this proposal is a $2 trillion giveaway to big, multinational corporations under the theory that somehow, when you give a big tax break to a multinational corporation, it is actually going to increase the wages of their workers. Well, we know that just isn't so. We know it from independent analysts.

The nonpartisan, professional Congressional Research Service has looked at the claims of the proponents of this bill and said: No, this isn't going to be a big boost to workers; it is going to be a big boost to the owners of the corporations.

If you don't like nonpartisan analysis—and you know we have a new whole machinery of fake news around here and around this country—why don't we listen to the CEOs themselves? Here is what Reuters reported in a headline: ''CEOs suggest Trump tax cut may lift investors more than jobs.'' That is what the CEOs say. Do you know what? We know from our own experience and our own observations that is absolutely true.

Let's look at the real world. We have seen record increases in corporate profits over the last many years—record increases. Did that extra money, did those bigger profits go to higher wages for American workers? They did not. They have been flat. They have been stagnant. We have had a growing gap between rising corporate profits and the wages of people who work for those corporations. So now we are going to give those same multinational corporations another $2 trillion windfall and think it is going to somehow trickle down to the workers? It just is not the case. That is not how they are using their profits.

The owners of those corporations will pocket the overwhelming lion's share for themselves. We know that because that is what they have been doing already, and giving them another $2 trillion isn't going to change that pattern.

To add insult to injury, not only is this going to be a tax windfall for big corporations that have record profits right now, but because of the way this is designed with respect to the international Tax Code, it is going to create incentives for American corporations to move from Baltimore, MD, overseas or from any other place in the United States overseas. I am not just talking about moving their profits to tax shelters, which you see happen today. You know they park their profits in the Cayman Islands, and they park their intellectual property in low-tax havens. Because of the way they have designed this—a 10 percent average international rate—they are actually encouraging American businesses and corporations to move their operations and their jobs overseas.

Let's look at another part of the plan. We keep hearing from our colleagues that this is going to help folks in the middle class. Let's look at the estate tax. If you are an American couple today and your estate is less than $11 million, you don't pay one penny in Federal estate tax—not one. Somehow it became an imperative of the Republicans, who put together this plan, to give a tax break to people with estates of over $11 million. So, first, they lift that cap from $11 million to somewhere like $20, $22 million, and then they get rid of it altogether. That doesn't help a single American household with an estate that is less than $11 million. We are talking about 2 out of every 1,000 American households that will benefit. That apparently was a big priority of the Trump administration and the Republicans, who put together this plan.

So who is going to pay for it? Who is going to pay for the $2 trillion tax cut for big multinational corporations? Who is going to pay for the windfall tax break for big, big estates? Everybody else. That is why the Realtors are against it. That is why the homebuilders are against it. That is why others are already against it, along with lots of other groups. Middle-class taxpayers are going to have to pick up the tab.

Do you know what they do in this bill, this Republican bill? They eliminate the ability of Americans to deduct their State and local taxes. Except for property taxes, all of those State and local taxes are now going to be paid on twice. You are going to pay your State and local government, and then out of that same dollar, you are going to pay your Federal tax. That is double taxation.

Here is the irony. If you are a corporation in one of those States, you get to deduct your State and local taxes in whatever State it may be. If you are a corporation, you get to take that deduction. If you are workers, if you are homeowners, no, you don't get to take that deduction. You are going to pay more.

Here is the really ironic thing. After they provide these big tax breaks to multinational corporations and millionaires and billionaires and raise taxes on millions of middle-class families, they are still leaving this country with a $1.5 trillion debt. It is written right into the budget.

I served as the senior Democrat on the House Budget Committee for a long time. Speaker RYAN used to be the chairman of that committee. He talked at length about the dangers of rising national debt. Do you know what? This is a serious issue. I used to think my Republican colleagues were serious about it, but now we discover they were only using that as a lever to justify their cause for cutting Medicare, cutting Medicaid, cutting Social Security, cutting education: Oh, the debt is really high; we have to cut all these things. But tax cuts for big corporations and millionaires and billionaires, let's add that to the national credit card. That is $1.5 trillion to be paid for by everybody else—our kids and grandkids.

Do you know what will happen? We will pass this tax cut for the special interests and powerful Americans, and then all of a sudden, I assure you, our Republican friends will rediscover their concern about the national debt. They will rediscover it once they get through with this windfall tax cut, and then they will want to come around and cut Medicare and Medicaid and education.

Do you know how we know that? They have already told us. In the budget that passed this Senate and the House, they called for cutting Medicare by almost $500 billion—$473 billion to be exact—cutting Medicaid by a trillion dollars, cutting education investments very deeply, cutting our investments in national infrastructure. So we know that once they blow up the debt by another $1.5 trillion, they are going to come right back and say to seniors on Medicare or Americans who rely on Medicaid or our kids whose education we want to invest in: Sorry, now we have that national debt we just created. Let's come back and cut everything else.

I really hope that everyone will take a step back. We should not rush through something that will do great damage to the country and great damage to the middle class just because of someone's political imperative to get something—anything—done. The reality is that while we do need tax reform, we don't want to mess things up even worse than they are today.

I would welcome the opportunity to work on a bipartisan basis for genuine

tax reform and simplification of the Tax Code, but I will not support any effort that hikes our national debt by $1.5 trillion in order to give big tax breaks to multinational corporations and millionaires and billionaires. We can do a whole lot better. We should do better.

Thank you.

Mrs. FEINSTEIN. Mr. President, last Thursday, Leader MCCONNELL filed cloture on four circuit court nominees, including two nominees who had been voted out of the Judiciary Committee that very morning.

Voting on four controversial circuit court nominees in 1 week is highly unusual, as is voting on nominees just days after they have moved out of committee.

Senators who aren't on the Judiciary Committee deserve time to consider nominees, review their backgrounds, and make an informed decision for their vote.

But that is not what is happening in the Senate this week. Instead, Republican Senate leadership is pushing President Trump's judges through as quickly as possible.

Jamming through as many controversial judges as possible in as short a time as possible—to lifetime appointments, no less—is irresponsible. I cannot remember a time when we had cloture votes on four circuit nominees in 1 week.

It is important to understand the context in which we find ourselves.

After failing to repeal the Affordable Care Act and with the Republican tax reform plan facing opposition within his own party, President Trump has turned more and more to Executive orders to influence policy.

As we have seen, move after move has run into opposition in Federal courts. So it is really no surprise that Republicans are trying to stack those courts with ideological judges whom they hope and expect will uphold the President's harmful policies.

Consider how many Trump actions have or will see time in the courtroom, and you begin to understand why Republicans are rushing to fill these vacancies—after allowing countless vacancies to remain unfilled at the end of the last administration.

In each of the following cases, the President and Senate Republicans seem to hope that the outcome will be different with a transformed judiciary.

The President's Muslim travel ban has been struck down by multiple courts who ruled that the ban is based on religion and suspending the refugee program is discriminatory, with no basis in fact. The President went so far as to personally insult some of the judges who heard arguments on the travel ban.

The President's decision to end the DACA program is also likely to find its way into the courtroom. Beginning on March 5, 2018, it is estimated that around 1,000 DACA recipients per day will lose their protection from deportation. By ending the program and thrusting 690,000 young people into legal limbo, the President ensured that lawsuits would be filed, and he certainly is hopeful that conservative judges are on the stand to hear the cases.

We have also seen the Trump administration make moves to restrict women's access to healthcare. One woman had to go to Federal court twice to challenge the government's efforts to restrict her access to reproductive care. The full D.C. Circuit chided the attempt to ''bulldoze over constitutional lines'' and deny this 17-year-old young woman court-approved reproductive care. Republicans tried to block three of President Obama's nominees to this same court and now are rushing to fill its one vacancy as quickly as is possible. That is not a coincidence.

President Trump's voter fraud commission will also certainly end up in legal battles. At least eight lawsuits have been filed against the President's Presidential Commission on Election Integrity, created to investigate false claims that 3 million people voted illegally last year. It is possible the commission has already violated Federal laws with regard to how it handled sensitive information. This is already the subject of ongoing litigation.

These are just a handful of Trump actions that will see time in court. They highlight not only what is at state, but also why the President is so anxious to hurry judges that he has selected on the bench.

I would add that Republicans are now rushing to fill judicial vacancies for this President after spending years blocking President Obama from filling many of these same vacancies. It actually is the most egregious effort I have ever seen.

This record of obstruction dates back to 2001 during the Clinton administration. Senate Republicans used secret holds on nominees to prevent judicial nominees from receiving committee hearings or floor votes. This resulted in Republicans ''pocket filibustering'' nearly 70 of President Clinton's circuit and district court nominees, preventing their confirmation. As discussed by Senator LEAHY when he served as chair and ranking member of the committee, Republicans would block nominees through pocket filibustering, which meant they would deny nominees hearings or up-or-down votes in committee. This is a chart that lists those nominees.

Mr. President, I ask unanimous consent to have the chart printed in the RECORD following my remarks.

In the first 5 years of the Obama administration, Republicans forced Obama's district court nominees to wait nearly three times as long and circuit court nominees nearly twice as long as Bush nominees for confirmation votes. During the final 2 years of his Presidency, Senate Republicans engaged in a historic blockade of judicial nominees.

It wasn't just the unprecedented decision to block Chief Judge Merrick Garland for the Supreme Court.

During the final 2 years of President Obama's administration, only 22 judicial nominees were confirmed—and just nine in the final year.

That is the lowest number of judges confirmed in a 2-year Congress since President Truman was in office. Contrast this with the last 2 years of the Bush administration when Democrats were in the Senate majority and still confirmed 68 of his nominees.

In the last 2 years under President Obama, there were 53 article III judicial nominees pending in the Senate at the end of 2016. That is 53 nominees who Republicans either refused to hold hearings on or refused to confirm once they were on the floor.

In fact, of those 53 nominees, 25 had been voted out of committee and were waiting for confirmation on the Senate floor. All they needed was for the Republican leadership to bring them up for a floor vote.

Twenty-three of those 25 nominees had been unanimously voice-voted out of committee with overwhelming bipartisan support. Still, Republicans refused to confirm them.

Since my colleagues have spent some time noting that three of the circuit court nominees we are considering this week are women, I would like to note that half of the nominees Republicans blocked from becoming circuit and district court judges last year were women.

Here is the point: Republican leadership wanted those seats, including the Supreme Court, left open in the hopes that a Republican would be elected President and pick new judges. They ignored the needs of country and the judiciary for their own political wants.

Two of the nominees we are considering this week—Amy Coney Barrett and Stephanos Bibas—are filling seats that President Obama had nominated African-American women to. Neither were confirmed because Republican home-State senators didn't return blue slips. That is a fact.

Judge John Bush, who now sits on the Court of Appeals for the Sixth Circuit, was likewise confirmed only because Leader McConnell refused to return a blue slip on a well-qualified woman, Kentucky Supreme Court Justice Lisabeth Tabor Hughes, whom President Obama had nominated last year.

Republicans exploited the blue slip process during the Obama Presidency, but today we hear constant rumors that Republicans want to do away with the process—another tool allowing them to ram through more judges.

It is worth noting that, even though Democrats had sincere, legitimate concerns about the writings of John Bush—which included him equating slavery and abortion—his nomination was rushed through by Leader MCCONNELL.

John Bush was confirmed just 73 days after he was nominated. In fact, President Trump's first four circuit court

nominees waited just 84 days, on average, from nomination until confirmation. By contrast President Obama's first four circuit court nominees waited an average of 213 days. That is nearly three times longer.

The hypocrisy we are seeing on display is stunning. With that in mind, I want to say a few words about the nominees themselves.

Our Nation's appellate courts are the final deciders of the vast majority of cases, so a nominees experience matters a great deal to me. However, the first nominee we voted on, Professor Amy Barrett, who has now been confirmed to the Seventh Circuit, had very limited experience.

She did not have any experience as a judge, and she only worked on one trial before becoming a professor.

Practically speaking, this meant the only record on which we could judge her was her academic writings. In those writings, I was especially troubled by her position that Supreme Court precedents can simply be set aside when a Justice disagrees with them.

The National Women's Law Center wrote that these writings ''raise serious concerns'' about how Professor Barrett, if confirmed, ''would interpret, apply, and follow precedent, including Supreme Court precedent.'' In fact, they point out that Professor Barrett's ''prior writings consistently suggest that she believes precedents like Roe and Casey should be considered weaker and are susceptible to challenge. . . .''

That is why I was unable to support Professor Barrett's nomination.

The second nominee we voted on was Justice Joan Larsen for the Sixth Circuit. Justice Larsen, who currently serves on the Michigan Supreme Court, has deeply troubling views on Presidential powers.

In fact, she advocated for the Bush administration's view that the President had the authority to disregard a law that Congress had just passed, which prohibited the U.S. Government from using torture.

It is no surprise that President Trump, who has shown contempt for the other coequal branches of government, nominated Justice Larsen. Her views are undoubtedly part of why the President included Justice Larsen on his short list of Supreme Court nominees last year.

President Trump repeatedly made clear that he was only considering nominees for the Supreme Court who passed his litmus tests, including to overturn Roe v. Wade. Recall President Trump's interview with ''60 Minutes'' immediately after he won the election. He said, ''I'm pro-life. And the judges are going to be pro-life.''

He added that his judges were going to be ''very pro-Second Amendment.''

We heard from 30 groups who were concerned about Justice Larsen's nomination, and several highlighted the danger of this litmus test.

As Lambda Legal wrote, ''A decision by this Committee to advance her nomination will be rightfully understood as not only a threat to Roe but also to the LGBT cases that were built upon Roe's foundation.''

I opposed Justice Larsen's nomination.

The third nominee we are considering is Justice Allison Eid for the Tenth Circuit. She was also included on President Trump's short list of Supreme Court nominees last year.

Since 2006, Justice Eid has served on the Colorado Supreme Court. A review of her opinions shows why the Denver Post wrote in September before her hearing: ''On the state's high court, Eid has earned a reputation as one of its most conservative members.'' Here are just a couple of examples.

In 2014, the Colorado Supreme Court held that a worker who fell down a flight of stairs at her workplace and suffered multiple aneurysms as a result deserved to be compensated under the State's workplace compensation law. Justice Eid dissented, arguing that the employee did not deserve any compensation for her injuries, in City of Brighton v. Rodriguez.

In 2012, Justice Eid was the lone dissenting vote when the Colorado Supreme Court upheld a new redistricting map that was drawn to protect residents' constitutional right under the ''one person, one vote'' standard. The old map had unequal populations and was redone with the extensive work of a trial court.

On appeal, Justice Eid was the only dissenting judge, and she argued to throw out the trial court's work because she believed it had not given ''adequate weight'' to one entirely optional factor.

Justice Eid's record has also led a number of organizations to oppose her nomination, including the AFL-CIO, the Leadership Conference on Civil and Human Rights—LCCR—and Planned Parenthood.

I opposed Justice Eid's nomination.

The final nominee we will vote on is Professor Stephanos Bibas for the Third Circuit. Like Professor Barrett, much of his legal career has been spent in academia, so our job in reviewing his record is to carefully consider his writings.

Professor Bibas's writings have focused on criminal law, and he has pushed forward controversial ideas about punishment. His most troubling proposals were set out in a paper he wrote in 2009.

In it, he argued that, for a wide variety of crimes, ''the default punishment should be non-disfiguring corporal punishment, such as electric shocks.''

Bibas also suggested ''putting offenders in the stocks or pillory, where they would sit or stand for hours bent in uncomfortable positions. Bystanders and victims could jeer and pelt them with rotten eggs and tomatoes (but not rocks).''

For more severe crimes, he advocated ''multiple calibrated electroshocks or taser shots,'' with medical personnel on hand to ensure ''that the offender's health could bear it.''

These views are shocking and outside of the mainstream. A few years before Professor Bibas wrote his article, this body had already debated and passed the Detainee Treatment Act in 2005, which prohibited ''cruel'' and ''degrading'' punishment of prisoners.

I appreciate that Professor Bibas testified to the Judiciary Committee that he now understands that his views on use of corporal punishment for prisoners are, in his words, ''wrong and deeply offensive.''

He came to this conclusion only after he repeatedly made public presentations on his paper, including one to a Federalist Society Chapter entitled, ''Corporal Punishment, Not Imprisonment: The Shocking Case for Hurting Criminals.''

I cannot support Professor Bibas's nomination and will vote no.

In closing, as my colleagues consider how they will vote on these and other nominees, I would urge them to consider the broader context in which we are considering this President's judicial nominees.

We have a President who has demonstrated contempt for the rule of law and for the independence of the federal judiciary. I am deeply concerned that this President expects the courts to just rubberstamp his policy preferences.

For every judicial nomination, we have to consider carefully the nominee's record and reflect on whether they can truly be fair, independent, and impartial—whether they will respect the rule of law. For these reasons and the records of the four nominees I have just discussed, I cannot support them.

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

CLINTON ADMINISTRATION: SENATE REPUBLICANS BLOCKED FROM CONFIRMATION VOTES OVER 60 JUDICIAL NOMINEES

[Source: Congressional Research Service]

	Name	Circuit/Court	First Nom Date	Hearing Date(s) (if any)	Final Action Date	Markup Date (if any)
	Circuit Court					
1	Stack, Charles R.	11	10/27/1995	2/28/1996	5/13/1996	
2	Beaty, James A., Jr.	4	12/22/1995		10/21/1998	

CLINTON ADMINISTRATION: SENATE REPUBLICANS BLOCKED FROM CONFIRMATION VOTES OVER 60 JUDICIAL NOMINEES—Continued

[Source: Congressional Research Service]

	Name	Circuit/Court	First Nom Date	Hearing Date(s) (if any)	Final Action Date	Markup Date (if any)
3	Leonard, J. Rich	4	12/22/1995		10/4/1996	
4	White, Helene N.	6	1/7/1997		3/19/2001	
5	Ware, James S.	9	6/27/1997	10/29/1997	11/7/1997	
6	Rangel, Jorge C.	5	7/24/1997		10/21/1998	
7	Raymar, Robert S.	3	6/5/1998		10/21/1998	
8	Goode, Barry P.	9	6/24/1998		3/19/2001	
9	Durham, Barbara	9	1/26/1999		8/5/1999	
10	Johnson, H. Alston, III	5	4/22/1999		3/19/2001	
11	Duffy, James E., Jr.	9	6/17/1999		3/19/2001	
12	Kagan, Elena	DCC	6/17/1999		12/15/2000	
13	Wynn, James A., Jr.	4	8/5/1999		3/19/2001	
14	Lewis, Kathleen McCree	6	9/16/1999		3/19/2001	
15	Moreno, Enrique	5	9/16/1999		3/19/2001	
16	Lyons, James M.	10	9/22/1999		6/6/2000	
17	Snyder, Allen R.	DCC	9/22/1999	5/10/2000	12/15/2000	
18	Markus, Kent R.	6	2/9/2000		12/15/2000	
19	Cindrich, Robert J.	3	2/9/2000		12/15/2000	
20	Campbell, Bonnie J.	8	3/2/2000	5/25/2000	3/19/2001	
21	Orlofsky, Stephen M.	3	5/25/2000		12/15/2000	
22	Gregory, Roger L.	4	6/30/2000		3/19/2001	
23	Arguello, Christine M.	10	7/27/2000		12/15/2000	
24	Davis, Andre M.	4	10/6/2000		12/15/2000	
25	Gibson, S. Elizabeth	4	10/26/2000		12/15/2000	
	District Court					
26	Klein, Theodore	S.FL	10/29/1993	11/16/1993	11/14/1994	
27	Paz, R. Samuel	C.CA	3/24/1994	8/25/1994	11/14/1994	
28	McConnell, Judith D.	S.CA	8/5/1994		11/14/1994	
29	Tait, John R.	ID	8/25/1994		11/14/1994	
30	Snodgrass, John D.	N.AL	9/22/1994		9/5/1995	
31	Toole, Patrick J., Jr.	M.PA	9/23/1994		11/14/1994	
32	Whitfield, Wenona Y.	S.IL	3/23/1995	7/31/1996	10/4/1996	
33	Shurin, Leland M.	W.MO	4/4/1995		9/5/1995	
34	Bingler, John H., Jr.	W.PA	7/21/1995		2/12/1998	
35	Greer, Bruce W.	S.FL	8/1/1995		5/13/1996	
36	Sundram, Clarence J.	N.NY	9/29/1995	6/25/1997	10/21/1998	
37	Myerscough, Sue E.	C.IL	10/11/1995		10/4/1996	
38	Wattley, Cheryl B.	N.TX	12/12/1995		10/4/1996	
39	Schattman, Michael D.	N.TX	12/19/1995		7/31/1998	
40	Rodriguez, Anabelle	PR	1/26/1996	10/1/1998	10/21/1998	
41	Lasry, Lynne R.	S.CA	2/12/1997		2/12/1998	
42	Massiah-Jackson, Frederica A.	E.PA	7/31/1997	10/29/1997; 3/11/1998	3/16/1998	11/6/1997
43	Colman, Jeffrey D.	N.IL	7/31/1997		10/21/1998	
44	Klein, James W.	DDC	1/27/1998		12/15/2000	
45	Freedberg, Robert A.	E.PA	4/23/1998		10/21/1998	
46	Norton, Lynette	W.PA	4/29/1998		12/15/2000	
47	Davis, Legrome D.	E.PA	7/30/1998		12/15/2000	
48	Leonard, J. Rich	E.NC	3/24/1999		12/15/2000	
49	McCarthy, Frank H.	N.OK	4/30/1999	10/26/1999	12/15/2000	
50	Simon, Kenneth O.	N.AL	6/6/2000		12/15/2000	
51	Lim, John S. W.	HI	6/8/2000		12/15/2000	
52	Litman, Harry Peter	W.PA	7/27/2000		12/15/2000	
53	Cercone, David S.	W.PA	7/27/2000		12/15/2000	
54	Couch, Valerie K.	W.OK	9/7/2000		12/15/2000	
55	Johnston, Marian McClure	E.CA	9/7/2000		12/15/2000	
56	Achelpohl, Steven E.	NE	9/12/2000		12/15/2000	
57	Anderson, Richard W.	MT	9/13/2000		12/15/2000	
58	Lieberman, Stephen B.	E.PA	9/14/2000		12/15/2000	
59	Hall, Melvin C.	W.OK	10/3/2000		12/15/2000	
60	Coan, Patricia A.	CO	5/27/1999		12/15/2000	
61	Gee, Dolly M.	C.CA	5/27/1999		12/15/2000	
62	Woocher, Fredric D.	C.CA	5/27/1999	11/10/1999	12/15/2000	
63	Tusan, Gail S.	N.GA	8/3/1999		3/27/2000	
64	Bell, Steven D.	N.OH	8/5/1999		12/15/2000	
65	Fields, Rhonda C.	DDC	11/17/1999		12/15/2000	
66	Fineman, S. David	E.PA	3/9/2000		12/15/2000	
67	Riegle, Linda B.	NV	4/25/2000		12/15/2000	
68	Morado, Ricardo	S.TX	5/11/2000		12/15/2000	
69	Sebelius, K. Gary	KS	6/6/2000		12/15/2000	

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, we are about to vote on our fourth circuit court nominee this week, and I am glad to speak in support of the nomination of Professor Bibas to serve on the Third Circuit Court of Appeals. That court sits in Philadelphia. Professor Bibas is a highly qualified nominee. His background as a well-regarded legal scholar and Supreme Court advocate will serve him well as a judge on that circuit.

Additionally, Professor Bibas received a rare, unanimously ''well qualified'' rating from the American Bar Association. My Democratic colleagues on the Judiciary Committee have expressed to me that the ABA's ratings are very important to their evaluation of nominees. Yet all of the Democratic members of the committee voted against Professor Bibas in the committee, despite his having received the highest rating possible. This is consistent with their votes against Professor Amy Barrett, Justice Joan Larsen and Justice Allison Eid, all of whom received ''well qualified'' ratings. It appears that my Democratic colleagues don't actually treat the ABA's ratings as particularly important when it comes right down to practice.

Professor Bibas is the son of a Greek immigrant who came to this country after surviving the Nazi occupation of Greece. He boasts impressive academic credentials. He graduated from Columbia University at the age of 19. He then received degrees from the University of Oxford and Yale Law School. After law school, Professor Bibas clerked for Judge Patrick Higginbotham of the U.S. Court of Appeals for the Fifth Circuit and then for Justice Anthony Kennedy of the U.S. Supreme Court.

Following these prestigious clerkships, Professor Bibas became an assistant U.S. attorney in the Southern District of New York. His experience as a prosecutor gave him a firsthand view of the problems and injustices in the American criminal justice system. He decided to pursue a career as an academic, focusing then on improving the criminal justice system for all involved.

Professor Bibas's first stint as a professor was in my home State of Iowa at the University of Iowa College of Law. He taught criminal law and procedure there for 5 years. We were certainly lucky to have a professor of his caliber. Professor Bibas then took a position on the faculty of the University of Pennsylvania Law School, where he has been teaching since.

Professor Bibas has been prolific in his academic writings, publishing numerous articles on all aspects of criminal law. His academic work culminated in the publication of his book entitled ''The Machinery of Criminal Justice.'' That book was published in 2012. In this book and in many of his articles, Professor Bibas criticized the current model of bureaucratic ''assembly line'' justice and America's high incarceration rate. Much of his work is devoted to finding solutions to these problems. His academic work has certainly had an impact on the law. In fact, Professor Bibas is one of the most cited law professors in judicial opinions. One study shows that he is the 15th most cited legal scholar by total judicial opinions, and he is the fifth most cited in the area of criminal law—not bad for a relatively young professor.

Professor Bibas has also had a positive impact on colleagues and students. The Judiciary Committee received a letter from 121 law professors throughout our country representing a diverse range of viewpoints. These professors support Professor Bibas's nomination, pointing to his—and this quote comes from the letter—''influential contributions to criminal law and procedure scholarship,'' as well as his ''fair-mindedness, conscientiousness, and personal integrity.''

Professor Bibas also received a letter in support of his nomination from many colleagues at the University of Pennsylvania. They stated that he has been ''an outstanding scholar, teacher, and colleague'' at Penn.

Professor Bibas also has extensive litigation experience. He is currently the director of the University of Pennsylvania Law School's Supreme Court Clinic. In this role, he and his students have represented numerous litigants who could not otherwise afford top-flight counsel. He has argued numerous cases before the Supreme Court, and he obtained a significant victory in the landmark case of Padilla v. Kentucky, which established a defendant's Sixth Amendment right to accurate information about deportation before pleading guilty.

One of our Supreme Court Justices, Ruth Bader Ginsburg, in a personal letter to Professor Bibas that the Judiciary Committee received, called him one of the ''very best lawyers presenting cases to the Court.'' It is kind of nice, if you are considered kind of a strict constructionist, that you get a letter like that from one of the more activist members of the Supreme Court.

Some of my Democratic colleagues criticize Professor Bibas during his confirmation hearing for two really isolated events in the long and illustrious career he has had.

First, Democrats criticized Professor Bibas for prosecuting a minor theft of only $7 when he was an assistant U.S. attorney. This case took place nearly 20 years ago. But it was Professor Bibas's supervisor who made the decision to charge the defendant and, of course, required an underling by the name of Bibas to pursue the case even after it started to fall apart.

In his hearing, Professor Bibas readily acknowledged that the defendant should not have been prosecuted, and the professor stated this to our committee:

> I learned from that mistake, and as a scholar, I have dedicated my career to trying to diagnose and prevent the causes of such errors in the future—inadequate Brady disclosure, new prosecutor syndrome, tunnel vision, jumping to conclusions, partisan mindsets. And I have testified before this committee on those very issues. And so I made a mistake. I apologized. I learned from it, and I have tried to improve the justice system going forward.''

Some of my colleagues have also criticized Professor Bibas for a single article that he wrote but never published. This article endorsed limited forms of corporal punishment as an alternative to lengthy prison sentences. But Professor Bibas reconsidered this idea soon after completing the article. He concluded that it was a bad idea and did not publish it. He completely disavowed the position in his book published shortly thereafter.

When asked about corporal punishment at his hearing, Professor Bibas stated:

> It is wrong. It is not American. It is not something I advocate. I categorically reject it.

Additionally, Professor Bibas's position on corporal punishment was well-intended. He was motivated to address overly harsh and unproductively long prison sentences. As he said at his hearing, he wanted to offer an answer to the question, ''Is there some way, any way, we can avoid the hugely destructive effect [of imprisonment] both on prisoners' own lives and on the families, the friends, the communities?''

In the time since Professor Bibas wrote the article, he has offered more creative solutions to the disruptions caused by lengthy prison sentences. As an example, instead of suffering through forced indolence, prisoners could work and develop work-related skills in anticipation of their release from prison.

Professor Bibas's scholarship, as I have stated and quoted from, is a testimony to his devotion to the rule of law and the notion of equal justice before the law. It is very clear that he cares very deeply about how the criminal justice system impacts defendants, victims, families, and entire communities. As you can tell, I am very confident that Professor Bibas will make an excellent judge on the Third Circuit Court of Appeals.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

NORTH KOREA

Mr. CARDIN. Mr. President, President Trump will be leaving on a lengthy trip to Asia. He will be visiting Japan, the Republic of Korea, China, the Philippines, and Vietnam. In each of those countries, we expect that the No. 1 national security issue that will be talked about is North Korea.

North Korea's dangerous activities are certainly putting not only the region but the global community at risk. They have a nuclear weapons capability. They currently have the ability to explode a nuclear device. They are working on delivery systems that could very well reach not just the region but the United States. They are violating international commitments. They have done dozens of tests this year alone, all in violation of those international commitments.

We have had a strong policy to try to isolate North Korea. The United States has led in the imposition of sanctions. We introduced this year and passed the Countering America's Adversaries Through Sanctions Act. It passed this body by a 98-to-2 vote. I notice the chairman of the Senate Foreign Relations Committee is on the floor, and he was one of the strong architects of that legislation. The United Nations Security Council passed Resolutions Nos. 2270, 2321, and 2375. The President has issued Executive Order No. 13810.

We have been asking for rigorous enforcement of sanctions. We could do more. One of the points I hope the President will be talking about during his trip is robust and rigorous enforcement of the sanctions that are out there. And I see there is activity taking place in the Banking Committee. We have legislation in the Senate Foreign Relations Committee. If additional sanction authority is needed, let's do that. That is important.

But what additional things can we do, and what should the President be promoting as he visits Asia? First, let me give you a few unacceptable alternatives.

We cannot lead with military intervention. The casualties could be astronomical. The technology to develop nuclear weapons would still remain. Our allies are certainly not in agreement with that policy. There is no congressional authority for the use of force.

A second alternative that is not acceptable is to just continue the current course. North Korea is developing a delivery system that will threaten not just Japan and the Republic of Korea but also Guam and the United States. We will see an arms race if we do not effectively stop North Korea's nuclear program.

President Trump's statement, in my view, made the challenges even more dramatic. His ''America first'' statements isolate America and make it more difficult for us to get the type of support we need. I think his reckless statements make it more likely rather than less likely that we will use a military option.

What we need is a surge in diplomacy. A surge in diplomacy can very well start with the meeting between President Xi of China and President Trump of the United States. We have a

common agenda. Neither China nor the United States want to see a nuclear North Korea. Both China and the United States recognize that the Kim Jong Un regime in North Korea is unreliable. We are both looking for an off-ramp so we don't need to use a military option.

China has the capacity to turn the pressure on North Korea through sanctions that could change the equation in North Korea. China and North Korea have a common agenda. Both want to preserve the regime of Kim Jong Un—Kim Jong Un for obvious reasons; China, because they do not want to see a unified Korean Peninsula under Western influence.

Our objective is for North Korea to give up its nuclear weapons. China needs to be convinced that our objective is the same as theirs. With that, they could instill greater pressure on North Korea, and diplomacy could work.

What should be our objective? We have to be realistic. In the short term, it should be containment. Freeze the current program. Stop the testing. Make it clear that we cannot allow these programs to continue. Ultimately, we want to see a nonnuclear Korean Peninsula.

We know that in the past—the 1994 framework agreement with North Korea lasted for 8 years. So there is an ability to make progress, but we have to develop confidence between the parties.

In conjunction with this, let me urge us not to lose sight of the North Korean people. Let's continue our focus on the human rights problems in the country. Let's work with our allies, particularly Japan and the Republic of Korea, and let's rigorously enforce the sanctions until progress is made.

We can achieve an alternative outcome in North Korea, but it requires U.S. leadership, and President Trump needs to engage on that issue. We need confidence building, and we need to make sure that we make progress. Time is not on our side, but there is still time to make progress. Without a diplomatic surge, there are only unacceptable options. Our goal should be a more peaceful, stable, and prosperous northeast Asia community.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all time has expired.

The question is, Will the Senate advise and consent to the Bibas nomination?

Mr. ALEXANDER. 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 assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Florida (Mr. NELSON), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 261 Ex.]

YEAS—53

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

NAYS—43

Baldwin	Franken	Peters
Bennet	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Heinrich	Schumer
Cantwell	Heitkamp	Shaheen
Cardin	Hirono	Stabenow
Carper	Kaine	Tester
Casey	King	Udall
Coons	Klobuchar	Van Hollen
Cortez Masto	Leahy	Warren
Donnelly	Markey	Whitehouse
Duckworth	Merkley	Wyden
Durbin	Murphy	
Feinstein	Murray	

NOT VOTING—4

McCaskill	Nelson
Menendez	Warner

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I ask unanimous consent that with respect to the Bibas nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. HELLER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Nevada.

JUDICIAL NOMINATIONS AND TAX REFORM

Mr. HELLER. Mr. President, this week, we have the unique opportunity to move forward on promises we made to the American people last year, confirming judges and providing tax relief to hard-working Americans. The American people sent us to Congress to complete this critical work, and we must stop at nothing to do it. We have already taken significant steps to address both of these issues by confirming 13 judges, with 5 more this week, and passing a budget with instructions for tax reform.

There is still much more that we need to do, and I stand ready to stay here until that job is done. Most people can't go home until their work is finished; I don't think we should either. Imagine dropping your car off at the auto mechanic and, instead of staying to finish the job, they leave at 3 p.m. to go home because that is convenient for their schedule; yet you still have to pay them for a full day's work. That is effectively what we have been doing here in Congress, and that needs to stop. We need to work as much as possible to ensure that the Federal judiciary is filled with judges that will uphold the Constitution and bring us closer to providing tax relief for the American people.

We need to have a fully occupied, fully functioning Federal judiciary to ensure that Americans' constitutional rights are upheld. In almost 10 months, we have started to address the issue of judicial vacancies by confirming 13 judges, most notably Justice Gorsuch, who has already served as a strong, conservative voice on the Supreme Court. As a fellow westerner, I was proud to vote for such a qualified judge to serve in our Nation's highest Court.

Beyond the vacancy we filled on the Supreme Court, there are vacancies on all levels of our Federal judiciary. We cannot forget the importance of every single court that makes up the Federal system. We must prioritize confirming judges to fill these openings, especially those deemed judicial emergencies. The fact that we have so many judicial emergencies is incredibly concerning and should be a wake-up call to all Senators, especially those who are slowing down this important process.

The President is continuing to send us well-qualified nominees, and Chairman GRASSLEY has done an excellent job of moving nominees through the committee process. I am especially encouraged that this week we are confirming five more judges, including four circuit court judges. This is the pace we need to keep. If that means working 24/7 to continue confirming these constitutionalists, you can count me in. Confirming Federal judges is a unique duty of the U.S. Senate, and we cannot allow obstructionism from the other side of the aisle to prevent us from filling vacancies throughout the country.

It is clear that when judges are brought to the floor for a vote by a healthy majority, the gridlock being caused is purely political. Because of this, leadership is having to file cloture on all of these judicial nominees, and some of my colleagues across the aisle

are just running the debate clock on these nominees instead of actually debating. We have what is known as a 1-hour rule in the Senate, and I think it is time to start enforcing it.

Members are entitled to their opinions, and, as the deliberative body, we should debate nominees. But if you are going to debate a nominee, I think you actually need to come here and speak about them. You can't just hide behind your desk and run the debate clock. If you have a problem with a nominee, then you should come to the floor and voice your concerns. If you are not willing to do this, then you shouldn't hold this nominee hostage to an artificial clock. This is what is wrong in Washington. We should use debate time on a nominee to debate the nominee, and if there is no more debate, then we should vote on that nominee and move on to the next one.

The Constitution guarantees the right to a speedy trial. As the body that confirms judges to make that constitutional right possible, we have a critical responsibility, and we need to do whatever it takes to fulfill this duty. In order to deliver swift justice throughout the country, these seats need to be filled.

I am ready and willing to work day and night, weekends and holidays, to do what Nevadans sent me to Washington to do and to accomplish. As the leader mentioned last week, we should work through the week of Thanksgiving. Hard-working Americans don't go home until their work is complete, and neither should we. That work also includes reforming our Tax Code, providing desperately needed relief to the middle class.

Today Chairman BRADY and the Ways and Means Committee released a draft of their tax bill, which is another enormous step forward in providing meaningful tax relief to Nevadans and other hard-working Americans across this country. Middle-class tax relief is particularly critical to the residents of my home State of Nevada. Whether it is the single mother from Gardnerville who doesn't receive child support, works full time, and is simply trying to make ends meet or the entrepreneur in Elko who is fighting hard to get his small business off the ground and wondering whether he will ever catch a break and be able to afford his first employee, I continue to hear from diligent, hard-working Nevada families and small business owners who are struggling to cover their expenses and get ahead in life.

For too many people, the American dream—previously achievable through hard work, sheer determination, and playing by the rules—feels as though it is slipping away. That is in part because, for too long, Nevadans and Americans across this country have faced stagnant wages and slow economic growth.

Under the failed economic policies of the previous administration, we have suffered through 8 years of historically low economic growth. In fact, in those 8 years, we didn't have a single year in which the economy grew by 3 percent. As a result, wages and workers suffered. As a result, job creation suffered. And as a result, middle-class Americans like you and your neighbors suffered.

We still bear the scars of the Obama-era economic policies today. Median household incomes in Nevada are $7,000 lower today than they were 10 years ago. Nevada families are more likely to be living paycheck to paycheck than families living in nearly every other State. It is fair to say—in Nevada at least—the recession has never really ended. To me, this situation is unacceptable. I am doing everything in my power to right the economic wrongs that have been committed by the previous administration.

Under the leadership of the new administration, however, we are starting to see our economy improve. There are positive signs everywhere. Last week, the Commerce Department announced that for the second quarter in a row, the economy had grown by at least 3 percent. This impressive growth occurred despite hurricanes that destroyed the homes and businesses of our good friends and colleagues in Texas and in Florida. Despite these natural disasters, if 3 percent economic growth is possible under the leadership of President Trump and a unified Republican government, just think about how much more we can add to this growth by passing comprehensive tax reform.

As a member of that tax writing committee, I have been working with my colleagues to craft a tax package that accomplishes three major goals: First, create more jobs; second, increase wages; and third, boost Americans' competitiveness worldwide.

What does tax relief mean to you, the average Nevadan who works hard and is trying to provide a better life for his or her children and save for a secure retirement? It means cutting your taxes so that you can keep more of your hard-earned money. It means a bigger child tax credit to help you confront the increasing costs of raising children. It means a simpler and fairer tax code that you yourself can understand. Lower rates for business mean more jobs, higher wages, and growth in our communities—all of which will benefit you. Taken together, all these things mean that you will have a profound increase in your take-home pay and your economic opportunities.

A recent study by the White House Council of Economic Advisers found that reducing the corporate tax rate by 15 percent alone would increase household incomes by an average of $4,000. A similar study by a Boston University economist put the increase at $3,500. I don't know about you, but I think the average American could do a lot with an additional $3,500 to $4,000 in his or her bank account.

As a son of a school cook and an auto mechanic, I understand the discipline and the hard work that go into every dollar and every paycheck, and I am working to see that you have more of it in your back pocket. I am confident that we will fulfill these promises, but that will take a commitment from our colleagues to stay here and work.

In addition to overhauling the Tax Code and confirming judges, we have many other significant legislative responsibilities to complete. I believe we must spend as much time as necessary, including working through the scheduled November constituent work period, to fulfill our commitment to the American people.

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. SASSE. 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 STEVE GRASZ

Mr. SASSE. Mr. President, I rise on the floor with a simple message. We should completely dispel with the fiction that the American Bar Association is a fair and impartial arbiter of facts. This is a sad reality, but it is the reality.

Let's back up. We in this body have taken an oath to uphold and defend the Constitution of the United States. Considering judicial nominees who have lifetime appointments is the most important thing this Senate will do over the weeks ahead. It demands the full attention of every single Member—Republican, Democrat, and Independent. This ought to be an opportunity for this body to pause and stand back from the frenzy of day-to-day media cycles and cable news shouting and recommit ourselves to basic American civics and some very basic American ideas: the idea that our three branches of government have three separate roles; the idea that we in the article I branch, the lawmakers, make the laws because we stand before the people and can be hired and fired—if the people are going to be in charge of our system, they need to be able to fire the people who make the laws—the idea that judges are explicitly not to make law; the idea that judges do not have R and D, Republican and Democrat, behind their names but rather that judges should be dispassionately ruling on the law and the facts; and the idea that all of us, temporary public servants, although the judiciary have lifetime appointments, can be upholding and defending a limited system of government, again, through our three differentiated roles.

Unfortunately, over the last few days in this body, it has become clear that some of us are attempting to outsource our constitutional duties to an outside organization. That organization, the American Bar Association, purports to

be a neutral arbiter but is frankly twisting its ratings process to drive a political agenda in an important nomination pending before this body. I am referring specifically to the smear campaign of the ABA against Steve Grasz, a qualified public servant, who has been nominated by the President to the Eighth Circuit Court of Appeals.

Steve Grasz has decades of honorable service in Nebraska, including more than a decade as the chief deputy attorney general of my State.

Mr. Grasz is, in fact, eminently qualified for the circuit court bench as has been testified to by Republicans and Democrats across our State.

Let's set the scene first for the ABA's silly decision earlier this week to announce that they regard Steve Grasz as ''not qualified.'' I will highlight three specific items.

First, we should discuss the two people who interviewed Mr. Grasz and recognize that unfortunately they are blatant partisans with a sad track record of hackery.

Second, the ABA is trying to paint Mr. Grasz as an extremist simply because he did his job as the chief deputy attorney general of Nebraska and defended Nebraska laws and Nebraskans who wanted to outlaw the most barbaric of abortion practices—partial birth abortion.

Third, we should talk about the obvious bigotry of cultural liberals evident in their interview process of Mr. Grasz when they asked him repeated questions about nonlegal matters that had nothing to do with the claims of competence of the ABA.

First, let's talk about the two reviewers. The lead reviewer for the bar association on the Grasz nomination was Arkansas law professor Cynthia Nance. As it turns out, this is an encore performance for Ms. Nance. In 2006, she opposed then-nominee and now-Supreme Court Justice Samuel Alito because of his ''pro-life agenda,'' and she argued that made him unqualified to sit on the U.S. Supreme Court. I wonder if there is anyone in this body who rejected her view then and voted to confirm now-Justice Alito who would now echo her claims that Justice Alito is not qualified to sit in the seat he now holds. Hopefully we as a body are better than that.

The ABA's second reviewer, Lawrence Pulgram, is an attorney from San Francisco. A cursory glance at Mr. Pulgram's political involvement shows a long track record of support for left-wing candidates and aggressively progressive political organizations. These are the reviewers who are setting themselves up as dispassionate umpires calling balls and strikes. It is hogwash. These are not umpires. These are folks in the starting lineup of the ABA, an organization that explicitly endorsed pro-abortion policies beginning two decades ago.

To be clear, there is nothing wrong with Nance and Pulgram's zealous advocacy. They enjoy First Amendment rights just like all 320 million Americans do. There is nothing wrong with advocacy. What is wrong here is advocacy disguised as objective analysis, and that is what is actually happening in the case of the Grasz nomination.

This brings us to our second point about the ABA's treatment of Mr. Grasz. When you read their letter, it makes many anonymous claims that some people supposedly support the author's great worry about Grasz's alleged deeply held social views, but the closest thing the ABA ever comes to stating a fact—let alone producing a smoking gun—is the fact that as the chief deputy attorney general of the State of Nebraska, Mr. Grasz did the job of the chief deputy attorney general of the State of Nebraska. That is not news.

It is no secret that the vast majority of Nebraskans are pro-life, and thus it is no surprise that our State's laws reflect this. In the 1990s, Nebraska outlawed the most horrifying of all abortion procedures—the partial birth abortion. Unless anyone seeks comfort behind empty euphemisms like ''choice,'' let's be very clear what the people of Nebraska were outlawing. The people of my State banned a gruesome and grotesque practice where a doctor partially delivers an unborn baby and, while that baby girl's head is the only thing still in the mother's womb, the doctor would then collapse the baby's skull. If there is anyone in this body who believes that is a good and a moral act, that it is a good and a moral thing to deliver that baby girl, and then moments before her complete and full entry into the world, to vacuum out her brains, please come to the floor because few people believe that is a good or a moral or a just act—or at least few would admit it openly.

In fact, that is why, just a few years later, Federal law followed Nebraska's law and outlawed partial birth abortion, but in the 1990s, when Nebraska first outlawed that partial birth abortion procedure, many pro-abortion advocates brought suit and Steve, as chief deputy attorney general of Nebraska, defended the law of our State, which again is now the Federal law. He defended that law because it was his job. He defended the law because that is what the people of Nebraska wanted when they said this unspeakably barbaric procedure had no place in our State and now, thankfully, has no place in our Nation. Anyone who would paint Steve as an extremist needs to take a long, hard, and honest look at what he did as chief deputy attorney general of Nebraska defending the laws of the State of Nebraska.

Third, I know the ABA has an august-sounding name, but here is the reality of the kinds of stuff they did in their interview with Mr. Grasz. They asked him: What kind of schools do your kids go to? I don't really understand the connection to their legal interview. When they found out his kids attended a religious institution, they asked him why his kids would go to a religious institution. Well, it turns out, in my State, lots and lots of Lutherans and Catholics and lots of non-Lutherans and Catholics send their kids to Lutheran and Catholic schools. I don't know what that has to do with someone's competence, man or woman, to sit as an objective judge on a court of appeals, and yet the interviewers decided they should go there.

Then they began to refer to Mr. Grasz repeatedly in the interview as ''you people.'' They would frame questions to him and ask about ''you people.'' At one point, he finally paused and asked: Can you tell me who ''you people'' are? Because at this point, he didn't know if it was pro-life people, people who send their kids to religious schools, maybe just Nebraskans. They informed him they were using the term ''you people'' to mean conservatives or Republicans.

Third, in the course of their time with Mr. Grasz, their interview went from actual legal questions to just asking him more and more detail about his pro-life views, again that has nothing to do with the distinction between sitting on the bench as someone who applies facts and law and someone who, in a private capacity or in his public capacity, as the chief deputy attorney general of Nebraska had been defending the laws of the State of Nebraska.

Ed Whelan is the president of the Ethics and Public Policy Center and is a legal and jurisprudential expert. He has been covering the ABA case and their judgment on Mr. Grasz this week closely, and so I would like to read a few of his comments into the RECORD.

The ABA contends that Grasz is not sufficiently able ''to differentiate between the roles'' of advocate and adjudicator.

As its first example, the ABA contends that there is an inconsistency between Grasz's stated respect for stare decisis (that is, for binding precedent) and the views he expressed in a 1999 law-review article (and that it says he continues to adhere to). Selectively quoting that article, the ABA faults him for his supposed ''suggestion that a lower court judge was entitled, in deciding the issue [whether a 'partially born' fetus has a right to life under the 14th Amendment], to question the jurisprudence of a superior court.''

But in the law-review article that the ABA criticizes—

In that same article—

Grasz states [on pages] 27–28:

''Lower federal courts are obliged to follow clear legal precedent regardless of whether it may seem unwise or even morally repugnant to do so. However, a court need not extend questionable jurisprudence into new areas or apply it in areas outside of where there is clear precedent.''

Read together, these sentences set forth an uncontroversial position. In order to create controversy, the ABA entirely omits the first sentence, and it then pretends that the second sentence, rather than setting forth a general proposition, is ''referring to the Supreme Court's rulings in Roe and Casey.'' Yes, Grasz applies that general proposition to the question whether Roe v. Wade and Planned Parenthood v. Casey speak to the legal status of ''partially-born human beings,'' but, much as the ABA would have

the reader think otherwise, he isn't concocting a special rule for abortion precedents.

Skipping ahead:

The ABA states that ''members of the bar shared instances in which Mr. Grasz's conduct was gratuitously rude.'' Amazingly, it doesn't bother to give a simple example of rude conduct by Grasz, so its claim is [entirely] impossible to address.

Aside—

This is again quoting Whelan—

Aside: According to Larry Tribe, as Josh Blackman reminds us, Sonia Sotomayor had a ''reputation for being something of a bully'' when she was nominated to the Supreme Court. (It was I [Whelan], by the way, who uncovered and published Tribe's letter to President Obama.)

The ABA alleges that ''there was a certain amount of caginess, and, at times, a lack of disclosure [on Grasz's part] with respect to some of the issues which the evaluators unearthed.'' But once again it provides no specifics or illustrations, so it's impossible to assess whether Grasz can be fairly faulted here.

Something very fishy is going on.

And here pulling up from Whelan, I would comment that my senior Senator DEB FISCHER and I from Nebraska, both of whom were advising President Trump on the selection of Steve Grasz for this Eighth Circuit vacancy, received literally boxes of letters from Nebraska lawyers—both Republican and Democratic—for months in the moment after the Eighth Circuit vacancy appeared, and at no point did we hear either verbally from people we know in the State or in our interview process or in those boxes of letters—at no point did we hear of any rudeness on the part of Mr. Grasz. Yet the ABA is judging him ''not qualified'' for the bench based on anonymous sources that say he is rude, without a single example. There is not one example.

It is an embarrassing letter from the ABA. Folks in this body who would be tempted to take the ABA's judgment seriously should read the letter. It is filled with anonymous claims that once he was rude to someone, and they have no examples.

Back to Ed Whelan:

[Reviewer] Nance's strong ideological bias is not difficult to uncover. Among other things, she signed a letter opposing the confirmation of Justice Alito. Given the ABA's persistent complaints about Grasz's supposed inability to separate his judging from his ''pro-life agenda,'' it's notable that letter against Alito complains about the impact that he would have on . . . women's reproductive [rights]. Nance also signed a letter arguing that the ''government's interests in protecting women's health and reproductive freedom, and combating gender discrimination,'' meant that even religiously affiliated organizations—like the Little Sisters of the Poor—should be required to provide contraceptive coverage (including drugs and devices that can also operate in an abortifacient manner) notwithstanding their own religiously informed views on what constitutes illicit moral complicity in evil.

Nance's very active Twitter feed (more than 24,000 tweets) also offers some revealing insights. Among other things, Nance retweeted the question whether Justice Scalia would have been in the majority in Dred Scott, and she evidently found amusing or insightful the observation that ''Constitutional strict constructionists . . . want women to have all the rights they had in 1787.'' Yes, this is just the sort of fine and balanced legal mind, with a great grasp of conservative judicial principles, that the ABA puts in charge of evaluating judicial nominees.

Finally:

The ABA's supposed check against a hostile lead investigator is to have a second investigator conduct a supplemental evaluation of the nominee in those instances in which the lead investigator recommends a ''Not Qualified'' rating.

So if you're the head of the committee, whom would you select to ensure that ideological bias isn't warping the process? Probably not a very liberal [activist] lawyer from San Francisco. But that's exactly what the ABA did [in this case].

Lawrence Pulgram, the second investigator, is a member of the left-wing Lawyers' Committee for Civil Rights of the San Francisco Bay Area.

We have a crisis of institutional trust in this country that should concern all of us. Our job here, in seeking to preserve and protect and uphold the Constitution, and a Constitution that is focused on limited government, is because our Founders believed that the vast majority of the most interesting questions in life happen in the private sector, not just for-profit entities but primarily civil society, families, neighborhoods, and not-for-profit organizations, and religious institutions, and the Rotary Club, and philanthropies, and voluntary enterprises. The most interesting things in life are not in government. Government provides a framework for order of liberty, but once you have that framework, once you are free from violence, you are free to live your life in all of these fully human-fit community ways in your local community.

Our job in this body is to not only pass good legislation and repeal bad legislation and to advise and consent on the President's nominees to faithfully execute the laws that have been passed by the article I branch, but our job is also to speak to a constitutional system, where a separation of powers exists so power is not consolidated in Washington and so there is room for the full flowering of social community across our great land.

So the decline of trust in our institutions is something that should trouble all of us. Our job here isn't merely about government, it is also teaching our kids about the Constitution and basic civics. I ache when private sector institutions and civil society institutions see the trust in those institutions decline. But one of the things that is clearly happening in our time is that the ABA is becoming much less a serious organization and much more an activist organization advancing a specific political agenda.

The ABA is due to appear before the Judiciary Committee in 2 weeks to explain this interview process and why they gave this judgment on Mr. Grasz with so few facts and so little evidence and so much pro-abortion zealotry driving the opinion of the lead reviewer in this case.

I hope that when the ABA comes before the Judiciary Committee, it recants this very silly opinion of ''not qualified'' on a man who is eminently qualified and is going to serve very well the people of not just the Eighth Circuit but this country on the Eighth Circuit Court of Appeals.

I would hope that the ABA would recant this silly judgment, but if they do not, I think we should recognize that the fiction of the ABA as a serious organization that ought to be taken seriously as a neutral, impartial arbiter of qualifications for the Federal bench should be dispensed with; and that we in this body, who have actually taken an oath to three separate-but-equal branches, with differentiated roles of legislating, executing, and ultimately judging, would continue to affirm that distinction; and that we should want judges who do not try to be superlegislators but, rather, seek to attend themselves to the facts and the law, as is indeed the calling of article III branch judges.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

JUDICIAL NOMINATIONS

Mr. COONS. Mr. President, I come to the floor today to join several of my colleagues in raising concerns about nominations to the Federal judiciary and the Senate's role in carrying out its constitutional advice and consent responsibilities. From my vantage point as a member of the Judiciary Committee, I can see all too clearly that an alarming trend of more and more extreme judicial candidates appearing before us is growing, that more extreme judicial candidates are being nominated, and that the safeguards here in the Senate that are important to our vetting process are being threatened.

Let me start by giving a simple overview of what has happened, first in terms of the speed at which we are considering critical lifetime appointments to some of the most central courts in our whole Federal judicial system.

Just this week, my Republican colleagues have brought forward four circuit court nominees—four nominees in one week—beginning to end. That is more than the number of circuit court nominees than were confirmed in the entire first year of President Obama's Presidency.

More important to me than the speed is the quality of our process of reviewing these important nominations. The

American Bar Association has issued unanimous ''not qualified'' ratings for two current judicial nominees. That hasn't happened in over a decade—since 2006. The American Bar Association is not a partisan or a political group. Founded in 1878, the ABA is a national professional organization with over 400,000 attorney members. The ABA's uncontroversial objectives are to serve its members, improve the legal profession, enhance diversity, and advance and secure the rule of law in our Nation. Its contributions to the legal profession are significant. It is the ABA that accredits law schools and establishes model ethical codes.

Additionally, since 1953, when President Eisenhower invited the ABA to provide specific, timely input on candidates for Federal judgeships, the ABA has evaluated nominees for professional competence, integrity, and judicial temperament. This is a rigorous process that involves collecting impartial, peer-review evaluations of candidates.

It is startling that less than a year into this administration, two nominees have already received ''not qualified'' ratings from the ABA, and two more nominees are under consideration of what is called a second evaluator. This is concerning. You see, the ABA does not take giving a ''not qualified'' rating lightly. Any time an evaluator is considering recommending ''not qualified,'' a second evaluator is brought in to conduct an independent review. I believe all nominees to lifetime article III appointments on the Federal bench should have the competence, integrity, and temperament to do the important work that Federal judges are called on to perform.

The nominees we are seeing not only raise concerns about professional qualifications and the speed with which they have been processed. Many of the President's recent candidates are notable for their polarizing, divisive, even offensive rhetoric, rather than the depth of their legal experience or the quality of their judicial temperament. I will give just a few selections from a broad range.

We have recently considered candidates on the Judiciary Committee who had blogged at length in support for birtherism, the discredited and untrue conspiracy theory that suggested that our immediate past President wasn't born in the United States. Another suggested that ''Mama Pelosi'' should be ''gagged.'' Another called Supreme Court Justice Kennedy a ''judicial prostitute,'' compared abortion to slavery, complained that Americans overreacted to Sandy Hook, repeated anti-gay slurs, and said transgender children are proof that ''Satan's plan is working.'' Many alarming, even extreme comments are in the records of folks brought forward for confirmation—a startling number of them.

Frankly, this isn't about party allegiance—being a Republican or a Democrat, being a conservative or a liberal. This is about having the judgment and the temperament to be a Federal judge.

The mechanisms we have for completely evaluating nominees are today being strained. The American Bar Association has been cut out of some of the White House's efforts, its prenomination vetting process. That means that when the ABA conducts an evaluation and seeks feedback from a candidate's peers, they discover the nomination has already been announced by the White House. The candidate has already been chosen. Understandably, lawyers are reluctant to provide candid feedback when they know a potential judge has already been nominated. Additionally, it is concerning that we have had hearings in the Judiciary Committee before the ABA rating process is completed. When that happens, it prevents the ABA, our professional organization of attorneys, from being called to testify to explain a ''not qualified'' rating at a hearing where a nominee is considered. In fact, just earlier today, we had two judicial nominees listed on our agenda who do not yet have an ABA rating.

I am not suggesting that every Senator needs to vote in lockstep with the ABA rating, but I feel strongly that the ABA's evaluation must be available to Senators before they are asked to vote on a nominee for a lifetime position as a Federal judge.

Another tool that is under attack that is a century-old tradition of the Judiciary Committee is the so-called blue slip. This is a practice that allows the two home-State Senators to give a positive or negative recommendation on a nominee before they receive a hearing and are considered for lifetime tenure. It allows each Senator to approve the judicial nominations for vacancies in their home States or in the circuit courts where a seat is traditionally associated with that home State. By requiring that blue slips be returned before a nominee is considered, each Senator is afforded the courtesy to evaluate whether a judicial nominee will meet the needs of his or her constituents and the priorities and values of their home State. It is an important tool for ensuring that the White House of either party consults with Senators about the judicial candidates the President is considering for nomination. In the end, this tool promotes consensus candidates by ensuring all Senators' views are taken into account, without respect to partisan registration.

As a Senator from Delaware—a State with two current judicial vacancies in one of the busiest district courts in America, which only has four active judgeships—I have been focused on working collaboratively with the White House in a productive manner that ensures that my State gets qualified consensus nominees from the White House. I am pleased to report that Senator CARPER and I have had a very positive experience so far working with the White House on these potential nominations, and it is my hope that we will soon see nominees I can support without reservation. But the blue slip process ensures that this consultative, constructive experience is the rule, not the exception. It is unfortunate that this blue slip practice—this century-old tradition of the Judiciary Committee—is under sustained attack. I believe we should maintain it for all Senators, in the best interests of this institution and our Federal judiciary.

Article III judges, as I have said, serve with lifetime tenure. They decide issues of civil rights, of personal freedom, commercial disputes of enormous value, and even life and death. These judges can and should, on occasion, also serve as checks on Presidential power overreach. Just in the past few months, article III judges have enjoined executive orders, including the so-called travel ban, the transgender military ban, and the decision to strip funding from sanctuary cities.

We should be advancing nominees who can earn broad support from Members of both parties, nominees with the experience to handle some of the most complex and demanding judicial issues of our time, nominees who have demonstrated the temperament to administer justice fairly. These nominations matter. The nominees who will fill the 140 current judicial vacancies on district and circuit courts across our country will play a critical role in either protecting or undermining the constitutional rights that are the bedrock of our Republic. Our courts must continue to be the place where everyone is treated fairly and the legal rights of our citizens can be vindicated.

I wish to close by calling on my colleagues to reconsider how we are conducting the judicial nominee process. This race to confirm as many nominees as possible is not how we respect the rule of law—one of the most treasured American values.

I have come to the floor multiple times since the beginning of this Congress to convey and speak about the importance of bipartisanship, and I will continue to do that today.

As we have seen in important public policy matters, from the healthcare debate to the current debate on tax reform, Republicans and Democrats need to work together to get things done. Purely partisan processes will not succeed in this or future Congresses. We have to work together to protect our democracy and our rule of law.

I would also like to note that today Sam Clovis withdrew as a nominee for Chief Scientist at the USDA.

I am not here to comment on any connection to any ongoing investigations or other social issues but, rather, would like to comment on a simple concern I have had since his nomination; namely, that Mr. Clovis is unqualified to serve as Chief Scientist, lacking any professional training in the hard sciences. This is not just my opinion but a matter of statutory requirement. It is a requirement in statute to have a background in science.

Science is critically important to agriculture, and this is another Federal agency that depends on good science.

Given the serious challenges facing America's farmers and our food system—from pollinator declines, to deteriorating soil health, to a changing climate—USDA's science mission is extremely important. As someone whose home State university has a vibrant department of agriculture, as someone who knows the very broad range of Federal funding for USDA that supports agriculture-related scientific research—the USDA is critical in helping provide our farmers with the information they need to improve plant and animal resilience, to be more effective stewards of the land, and to adopt new technologies and practices on their farms. This could all be at risk if the agency's head of science has no relevant scientific training and even rejects current scientific thinking.

I believe that science, not mere opinion or partisan attitude, should underpin our decisions when it comes to our Nation's agricultural policy.

It is my hope that the administration will now go back and recommend a nominee who is scientifically trained and who cares deeply about the role of science in our Nation's agriculture.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 409, 410, 411, 414, 415, 416, 417, 418, 419, 420, 422, 423, 424, 425, 426, 427, 429, and 431.

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

The clerk will report the nominations en bloc.

The bill clerk read the nominations of Peter Henry Barlerin, of Colorado, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cameroon; Kathleen M. Fitzpatrick, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of Timor-Leste; Michael James Dodman, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Mauritania; Michele Jeanne Sison, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti; Jamie McCourt, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the French Republic, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Monaco; Richard Duke Buchan III, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Spain, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Andorra; Larry Edward Andre, Jr., of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Djibouti; Thomas L. Carter, of South Carolina, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Council of the International Civil Aviation Organization; Nina Maria Fite, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Angola; Daniel L. Foote, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zambia; Kenneth Ian Juster, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of India; W. Robert Kohorst, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Croatia; Edward T. McMullen, Jr., of South Carolina, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Swiss Confederation, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Liechtenstein; David Dale Reimer, of Ohio, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Seychelles; Eric P. Whitaker, of Illinois, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Niger; Carla Sands, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Denmark; Michael T. Evanoff, of Arkansas, to be an Assistant Secretary of State (Diplomatic Security); and Manisha Singh, of Florida, to be an Assistant Secretary of State (Economic and Business Affairs).

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Barlerin, Fitzpatrick, Dodman, Sison, McCourt, Buchan, Andre, Carter, Fite, Foote, Juster, Kohorst, McMullen, Reimer, Whitaker, Sands, Evanoff, and Singh nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 361.

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

The clerk will report the nomination.

The bill clerk read the nomination of Steven E. Winberg, of Pennsylvania, to be an Assistant Secretary of Energy (Fossil Energy).

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Winberg nomination?

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 295, 296, 323, 324, and 325.

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

The clerk will report the nominations en bloc.

The bill clerk read the nominations of Paul Dabbar, of New York, to be Under Secretary for Science, Department of Energy; Mark Wesley Menezes, of Virginia, to be Under Secretary of Energy; Richard Glick, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2022; Kevin J. McIntyre, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2018; and Kevin J. McIntyre, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2023.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Dabbar, Menezes, Glick, McIntyre, and McIntyre nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 378, 380, and 385.

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

The clerk will report the nominations en bloc.

The bill clerk read the nominations of Kyle Fortson, of the District of Columbia, to be a Member of the National Mediation Board for a term expiring July 1, 2019; Gerald W. Fauth, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2020; and Linda A. Puchala, of Maryland, to be a Member of the National Mediation Board for a term expiring July 1, 2018.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Fortson, Fauth, and Puchala nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to the consideration of Calendar No. 107, Steven Engel.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General.

Mitch McConnell, Orrin G. Hatch, John Barrasso, Johnny Isakson, Chuck Grassley, Thom Tillis, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, Mike Rounds, James M. Inhofe, John Hoeven.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 384, Peter Robb.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years.

Mitch McConnell, Orrin G. Hatch, John Barrasso, Johnny Isakson, Chuck Grassley, Thom Tillis, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, Mike Rounds, James M. Inhofe, John Hoeven.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 407, William Wehrum.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

Mitch McConnell, Orrin G. Hatch, Thom Tillis, John Barrasso, Johnny Isakson, Chuck Grassley, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, Mike Rounds, James M. Inhofe, John Hoeven.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 159, Derek Kan.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Derek Kan, of California, to be Under Secretary of Transportation for Policy.

Mitch McConnell, Orrin G. Hatch, John Barrasso, Johnny Isakson, Chuck Grassley, Thom Tillis, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, Mike Rounds, James M. Inhofe, John Hoeven.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the pending cloture motions ripen at 5:30 p.m. on Monday, November 6. I further ask that at 11 a.m. on Tuesday, November 7, the Senate proceed to the consideration of Executive Calendar No. 247, as under the previous order.

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

Mr. MCCONNELL. For the information of all Senators, there will be a cloture vote on the Engel nomination at 5:30 p.m. on Monday. The Senate will vote on the Gibson nomination at 12 noon on Tuesday.

The PRESIDING OFFICER. The Senator from Nebraska.

CONFIRMATIONS OF AMY BARRETT, JOAN LARSEN, AND ALLISON EID

Mrs. FISCHER. Mr. President, although nearly half of those graduating from law school are women, only about a third of the Federal judges are female. This week, we had the honor of adding three more.

I rise to congratulate these three successful women because their additions to the Federal court system are historic. They serve as more evidence that well-qualified women are becoming more confident in stepping forward and serving our great Nation.

Amy Coney Barrett, Joan Louise Larsen, and Allison Eid are three more cracks in that glass ceiling. Their confirmations are proof that successful women can balance responsibility and seize opportunity when it knocks on their doors. These accomplished nominees are not joining the Federal bench because of a frivolous attempt at trying to balance out the gender disparity in our courts. They will be donning the black robes because they will have earned it.

Amy Coney Barrett, our new judge for the Seventh Circuit, climbed to the ranks by clerking for Judge Laurence Silberman on the DC Circuit and Justice Scalia on the U.S. Supreme Court. In working with her husband, who is a successful lawyer in his own right, she has balanced family responsibilities while having achieved personal success. At the age of 30, she was hired as a professor at one of the Nation's best law programs, Notre Dame. Over the past 6 years, she has sat on the Advisory Committee on Federal Rules of Appellate Procedure on the recommendation of Chief Justice Roberts.

Joan Louise Larsen, the next U.S. circuit judge for the Sixth Circuit, is proof that hard work pays off. After graduating at the top of her class from Northwestern, Judge Larsen clerked for Justice Scalia on the U.S. Supreme Court before serving as a Deputy Assistant Attorney General in the U.S. Department of Justice, Office of Legal Counsel. She most recently sat on the highest court in her State, the Supreme Court of Michigan. She has done this while raising two children with her law professor husband.

Allison Eid, the newest judge for the Tenth Circuit, has demonstrated brilliance throughout her career. After graduating from Stanford, she worked as an assistant speechwriter for William Bennett, President Reagan's Secretary of Education. After graduating from law school with honors, she clerked for Justice Clarence Thomas of the U.S. Supreme Court. She has served with distinction on the Colorado Supreme Court since 2006. With her husband, Troy, the first Egyptian American to serve as a U.S. district attorney, she has helped to raise two children.

These three successful women should serve as role models to girls and boys across this Nation. They are proof that women do not need to stand back while others find success, and their confirmations are evidence that, when women support each other, they will achieve at the highest level. They also demonstrate the power of families when they work together to accomplish goals.

We should be proud to have confirmed these three great women to the Federal bench. All of us receive letters from children who ask questions about: What do you do in the U.S. Senate? Weeks like this one should be part of our response. We empower those who have empowered themselves regardless of their gender. We shape our legal system by filling it with qualified women who are dedicated to preserving and protecting our Constitution—the framework of our free Nation. We proclaim that hard work is to be rewarded. These three important confirmations are further proof that young women do not have to choose between raising families and rising to the top of their chosen professions.

I stand here today and send a message to every little girl who wonders about politics and every young woman who faces the challenges of starting out in her career: You can do this too. We love you, and we support you. Be confident when you want to step forward and serve your community and serve your country.

The judicial nominees who were voted on this week exemplify the best of our Nation's legal community. Their confirmations to the Federal bench have added significant talent to our Nation's system of justice. The work being done by the President and by this Senate in shaping the Federal courts with those who will follow the rule of law is historic. President Trump should be applauded for nominating such well-qualified people to be on the Federal bench.

All of the nominees voted on this week will make exceptional additions to the Federal bench, and I hope that the President will send many more like them for us to consider. All four are deserving of their new positions, and I am sure that they will honor and protect the Constitution and serve the American people well as good judges.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD)

VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 259, on the nomination of Allison Eid, of Colorado, to be U.S. circuit judge for the Tenth Circuit. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 260, on the motion to invoke cloture on Stephanos Bibas, of Pennsylvania, to be U.S. circuit judge for the Third Circuit. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 261, on the nomination of Stephanos Bibas, of Pennsylvania, to be U.S. circuit judge for the Third Circuit. Had I been present, I would have voted nay.•

VOTE EXPLANATION

Mr. DONNELLY. Mr. President, earlier today, on rollcall vote No. 260, the motion to invoke cloture on Stephanos Bibas, of Pennsylvania, to be U.S. circuit judge for the Third District, I voted yea when I had intended to vote nay.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17–22, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Qatar for defense articles and services estimated to cost $1.1 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER, *Lieutenant General, USA, Director.*

Enclosures.

TRANSMITTAL NO. 17–22

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) Of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Qatar

(ii) Total Estimated Value:

Major Defense Equipment* $ 0 billion.

Other $ 1.1 billion.

TOTAL $ 1.1 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None

Non-MDE: Design and construction services, new parking/loading ramps, hot cargo pads, taxiways, hangars, back shops, alert facilities, weapons storage areas, hardened shelters, squadron operations facilities, maintenance facilities, training facilities, information technology support and cyber facilities, force protection support facilities, squadron operations facilities, other F–15QA related support structures, construction/facilities/design services, cybersecurity services, mission critical computer resources, support services, force protection services, and other related elements of logistics and program support.

(iv) Military Department: Air Force (X7–D–QAL).

(v) Prior Related Cases, if any:

Air Force: QA–D–SAC, QA–D–TAH, QA–D–YAB.

Navy: QA–P–AAG, QA–P–AAE, QA–P-AAH, QA–P–LAC, QA–P–LAE.

(vi) Sales Commission, Fee, etc., Paid, Offered. or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: November 1, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Qatar—F–15QA Construction, Cybersecurity, and Force Protection Infrastructure

The Government of Qatar has requested support of its F–15QA multi-role fighter aircraft program to include design and construction services, new parking/loading ramps, hot cargo pads, taxiways, hangars, back shops, alert facilities, weapons storage areas, hardened shelters, squadron operations facilities, maintenance facilities, training facilities, information technology support and cyber facilities, force protection support facilities, squadron operations facilities, other F–15QA related support structures, construction/facilities/design services, cybersecurity services, mission critical computer resources, support services, force protection services, and other related elements of logistics and program support. The estimated cost is $1.1 billion.

This proposed sale supports the foreign policy and national security objectives of the United States. Qatar is an important force for political stability and economic progress in the Persian Gulf region. Our mutual defense interests anchor our relationship and the Qatar Emiri Air Force (QEAF) plays a predominant role in Qatar's defense.

The proposed sale improves Qatar's capability to operate and sustain its F–15QA aircraft. A robust construction, cybersecurity, and force protection infrastructure is vital to ensuring the QEAF partners can utilize the F–15QA aircraft to its full potential. Qatar will have no difficulty absorbing this support into its armed forces.

The proposed sale of this construction, cybersecurity, and force protection infrastructure will not alter the basic military balance in the region.

The prime contractor for construction, cybersecurity, and force protection infrastructure will be determined through competition. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of the construction, cybersecurity, and force protection aspects of this notification include the establishment of a construction office in Doha with as many as ten (10) U.S. Government civilians which will adjust in size as case workload varies. Anticipated contractor footprint for this effort is approximately fifteen (15) to fifty (50) personnel, which may vary based on phases of construction and establishment of required services.

There will be no adverse impact to U.S. defense readiness as a result of this proposed sale.

HEALTHCARE

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the article, ''More ACA Plans to Come With No Premiums in 2018,'' by Anna Wilde Mathews and Christopher Weaver that was published in the Wall Street Journal on October 27, 2017.

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

MORE ACA PLANS TO COME WITH NO PREMIUMS IN 2018

Insurers selling Affordable Care Act plans have a compelling new pitch: free health insurance.

When sales of plans on the law's exchanges begin Nov. 1, a growing number of consumers around the country will be able to get coverage for 2018 without paying any monthly premium, according to health insurers and an analysis of newly available federal data.

In nearly all of the 2,722 counties included in the data, some consumers will be able to obtain free health insurance because they qualify for larger federal premium subsidies that cover the full cost of a plan, according to the new analysis.

The growing availability of no-premium plans is a side effect of a decision by President Donald Trump's administration to end federal payments that are used to reduce out-of-pocket costs, such as deductibles, for low-income enrollees. The administration didn't halt—and indirectly bolstered—the federal subsidies that help consumers with their insurance premiums.

The new analysis doesn't project exactly how many consumers could be eligible for the no-premium plans, a figure that depends on variables including people's income, household size, age, location and access to other types of health coverage.

In the coming weeks, insurers are gearing up to promote the no-premium option. Amid uncertainty about the future of the 2010 health law, known as Obamacare, many insurers have pulled back from the law's marketplaces. Many of the remaining ones are worried about losing enrollment next year—largely among consumers who aren't eligible for subsidies and won't be able to get premium-free plans.

Insurers hope the no-premium insurance draws in more enrollees, particularly those they need most: people with few health needs. Healthy consumers help bolster the stability of the market by balancing out the health costs of sicker enrollees.

''We absolutely will be promoting this opportunity to get coverage at a zero price,''

said Wendy Curran, a spokeswoman for Blue Cross Blue Shield of Wyoming, which is mentioning the no-premium plans in print, radio and social-media advertising. ''We hope those younger people will say, 'Well yeah, if it's not going to cost me anything, sure.' ''

Ms. Curran said it was ''astounding even to us'' how many people will be able to get no-premium insurance in Wyoming.

The no-premium plans will also receive a hefty promotional push from insurance agents. EHealth Inc. and HealthMarkets Inc., both big national agencies, said they're preparing to highlight the option in advertising and other outreach.

''It's just the idea of something free being really appealing,'' said Nate Purpura, a vice president at eHealth. The company's surveys have consistently shown that price is the most important factor in consumers' choice of plan, he said.

Availability will vary by age and income, but some enrollees who don't have a very low income may be able to land zero-premium coverage, according to the analysis of federal data conducted by consulting firm Oliver Wyman, a unit of Marsh & McLennan.

The firm found that zero-premium ACA exchange plans would be available next year to at least some consumers in a total of 2,692 counties, out of 2,722 in the study.

A 60-year-old making about $36,000 a year could find free 2018 plans in 1,590 counties, while one with income of about $48,000 could do so in 654 counties, according to the analysis, which used data released Wednesday for plans available on HealthCare.gov, the federal marketplace used by 39 states.

For 2017, no-premium plans were available in many places for the very lowest-income enrollees, but for those at slightly higher levels, they were much more scarce. For instance, in 2017, a 60-year-old making about $36,000 could find free plans in about 300 of the counties.

That is what is different in 2018, said Kurt Giesa, a partner at Oliver Wyman. The zero-premium plans are ''much more prevalent now than they were,'' he said.

In California, which isn't included in the federal data, consumers must pay a minimal $1 a month. But there is a ''huge increase from last year'' in the number of people who will be able to buy virtually free plans, said Peter V. Lee, executive director of Covered California, the state's ACA exchange. Covered California currently has about 1.1 million enrollees who receive federal-premium subsidies, and more than half of them will be able to buy a plan for $1 for 2018, he said.

The growing availability of no-premium plans is tied to the complicated dynamics of the 2010 health law, as well as a recent move by the GOP president.

Under the law's rules, subsidies that help pay for premiums are available to people making up to about $48,000 a year. Those subsidy amounts are linked to the cost of the second-cheapest silver plan in an enrollee's location. So, when silver premiums go up, subsidies go up.

Earlier this month, Mr. Trump's administration cut off federal payments to insurers for covering certain out-of-pocket costs for low-income enrollees in silver plans. In response, insurers raised premiums on their 2018 policies sharply to cover the extra expense, now coming out of their pockets—and in many cases, they loaded the extra boost only onto the silver plans.

Because the separate premium subsidies, which Mr. Trump didn't cut, are linked to silver-plan prices, those subsidies are rising, too. In many states, the costs for cheaper bronze plans are going up much less rapidly than silver plans, so many more people will wind up being eligible for no-premium plans.

On the flip side, those who don't get premium subsidies under the 2010 law may be responsible for the full brunt of steep rate increases, though they may be able to mitigate the impact by staying away from silver plans.

For those who can get free plans, the lure may be irresistible.

Medica, an insurer that is offering exchange plans in states including Iowa, Nebraska and Wisconsin, is running ads in some places that say ''$0 premium plans for individuals who qualify.'' It is also sending letters to some current exchange enrollees with bronze plans, who are likely to be enrolled with Medica in 2018, informing them that they can stop paying premiums next year. ''That's a nice letter to get,'' said Geoff Bartsh, a vice president at Medica.

Jerry Dworak, chief executive of Montana Health Co-op, said, ''of course we're hoping that'' young and healthy enrollees flock to the no-premium plans.

''If they see that it's free, why not take it?,'' he said.

Mr. Dworak said that a person making as much as $33,000 a year could get one of his company's Idaho plans and pay no premium.

The plans may attract more older consumers than younger because premiums and subsidies rise with age, making free plans more available to older people.

And for some, the zero-premium plans won't actually be the best deal, insurers and insurance agents say. The silver plans could be cheaper overall for people who use much health care, despite their higher premium costs, if these people are eligible for the health law's cost sharing help.

According to HealthCare.gov, for instance, a 40–year-old man in Cheyenne, Wyo., who makes about $24,000 a year could get a zero-premium bronze plan, but he could pay as much as $6,650 over the course of 2018 in deductibles and other out-of-pocket charges. Or he could get a silver plan that would cost him around $125 a month, but cap his out-of-pocket costs at $2,450.

''There's this trade-off,'' said Michael Z. Stahl, a senior vice president at HealthMarkets, who said the company's agents will walk through the pros and cons with clients.

TRIBUTE TO SUSIE McMURRY

Mr. BARRASSO. Mr. President, today I wish to honor Susie McMurry.

On November 10, 2017, the Greater Wyoming Council of the Boy Scouts of America will hold their annual ''Strength of America Banquet'' and celebrate Susie McMurry, a remarkable Wyoming philanthropist. Every year at this event, the council honors an individual who made invaluable contributions to the community and demonstrates the values of the Scout oath and law.

Susie McMurry is a perfect choice to receive this special recognition. She is a role model in our community and truly represents a spirit of citizenship, leadership, and service. Throughout her life, Susie has always demonstrated an enduring devotion to God, her family, and Wyoming. She loves her family. She loves her home State of Wyoming. She loves her country.

She truly exemplifies the Scout promise ''to help other people at all times.'' Should an opportunity arise to improve the life of a child, Susie is the first to offer her assistance, time, and resources. Susie strongly supports programs for children that focus on mentoring, developing leadership skills, encouraging community service, and building self-esteem. She believes ''Children are the sunshine in our lives. If we don't take care of our children, our world will be without sunshine.''

Her parents raised her with a deep understanding of the importance of giving back. While growing up, her parents always lent a helping hand and opened their homes to individuals in need. Throughout her life, she has tried to follow their example. For nearly 30 years, she and her husband, Mick McMurry, were foster parents. They provided a safe and caring home for hundreds of children in Wyoming.

Susie is a strong, compassionate, and caring woman. In 1946, she was born in Casper at Memorial Hospital of Natrona County. She called both Elk Mountain and Hanna home before eventually moving to Casper. Susie discovered her calling to help children early in life. She studied elementary education at Casper College and the University of Wyoming. After graduation, she returned to Casper and taught first grade at Crest Hill Elementary School.

She met her husband of 41 years, Mick McMurry, in Casper. On December 21, 1973, Susie and Mick McMurry were married in Glenrock, WY. A few years later, they adopted their daughter, Trudi, and Susie retired from teaching. In 1979, Susie and Mick became foster parents. Their second daughter, Jillian, was adopted from the foster program. Susie has eight grandchildren: Lou Davis, Tayla Davis, Tillie Holthouse, Ellie Holthouse, Evie Kaschmitter, Lily Kaschmitter, Max Kaschmitter, and Andrew Kaschmitter. She also has one great-grandchild, Neil Campbell. In 2015, Susie, the McMurry family, Casper, and the State of Wyoming mourned the loss of her husband, Mick. Susie's compassion and strength continues to guide her family and our community.

The McMurry family has a remarkable history of helping people across the State of Wyoming. Susie explained, ''One of our goals is to teach the younger generation how to give back, how to participate, and love making a difference.'' Mick and Susie established the McMurry Foundation in 1998 with a mission to make a significant and beneficial impact on the lives of others. Guided by the values of excellence and compassion, the foundation has awarded more than $50 million since it was established. It focuses on education, religion, children and advocacy for children, health and human resources, the arts and humanities, and favorable business environments.

Buildings across the State bear the McMurry name as a mark of gratitude for their wonderful support. The number of places in Wyoming that have benefited from the contributions of the McMurry family is incredible, but one organization especially dear to Susie is the Wyoming Medical Center. Susie has spent a tremendous number of

hours volunteering her time and talents to the benefit of everyone who comes through the doors. She feels that the health of a community is directly tied to the health of its people.

The values that Susie and the McMurry Foundation promote go hand in hand with the mission of the Boy Scouts of America. They both work to ensure youth have the knowledge and skills needed to become future leaders of Wyoming. Their continued focus on education, leadership, and community service will serve these young people and our State for generations.

Susie's kindness, generosity, and grace are true reflections of her character. She believes that fulfillment in life comes from making a difference in the lives of others. Whether it is volunteering at the Wyoming Medical Center to support patients and families or raising funds for the Boys and Girls Club of Central Wyoming, she has made a huge difference in the lives of so many people. Susie continues to have a positive and lasting mark on our community.

It is with great honor that I recognize this exceptional member of our Wyoming community. My wife, Bobbi, joins me in extending our congratulations to Susie McMurry for receiving this honorable distinction.

ADDITIONAL STATEMENTS

50TH ANNIVERSARY OF MISSOURI ASSOCIATION OF STUDENT FINANCIAL AID PERSONNEL

• Mr. BLUNT. Mr. President, I rise today to congratulate the Missouri Association of Student Financial Aid Personnel, MASFAP, which is celebrating its 50th anniversary. MASFAP organized in 1967 with a steering committee of five members. Today the association has grown to over 800 members. The observance of MASFAP's 50th anniversary provides an opportunity to recognize the work of Missouri's student financial aid personnel and the association's partnerships and to raise awareness about the affordability of a post-secondary education.

MASFAP is a dynamic association dedicated to serving and advocating for practitioners, users, and providers of student financial aid programs. Most families and students are aware of student financial aid programs because they provide valuable funds to assist in the costs of a postsecondary education, without which many would be unable to achieve their education goals.

As a former high school teacher and university president, I know how fortunate it is for Missouri to have so many great post-secondary education options. With the assistance of student financial aid administrators throughout Missouri, students are learning about the resources available to help them attend one of the great schools of their choice. As a result, students are getting the education and training they need to succeed.

When I served as Missouri Secretary of State, I had the opportunity to sign the first articles of incorporation for MASFAP. Today I thank the association and all its members for their work and congratulate them on their 50th anniversary.•

TRIBUTE TO MAJOR GENERAL RICHARD C. NASH

• Mr. FRANKEN. Mr. President, today I wish to recognize and celebrate the career of Minnesota Adjutant General Richard C. Nash. Major General Nash retired on October 31st, after leading the Minnesota National Guard for the past 7 years. His leadership has ensured the excellence of the Minnesota National Guard.

Major General Nash enlisted in the infantry in 1972 and quickly rose through the ranks, earning a commission as a second lieutenant following completion of officer candidate school. Since then, he has commanded at all levels, starting as a company level commander and rising to lead the U.S. Divisions-South supporting Operation Iraqi Freedom in 2010.

In November of 2010, Major General Nash was appointed by Governor Tim Pawlenty to be the adjutant general of the Minnesota National Guard. In this role, he has skillfully commanded Minnesota's Army and Air National Guard units not only in missions in Minnesota, but also as they have served across the globe, in places such as Iraq, the Sinai Peninsula, and the Baltics. Under Major General Nash's stewardship, the Minnesota National Guard has performed every mission reliably and with distinction.

I have had the honor of working closely with Major General Nash during my time in office. He has been a tireless advocate for the Guard on issues ranging from installations, to the Guard's renewable energy use, to the important task of ensuring the Guard's annual priorities are met. One area I worked particularly closely with Major General Nash on has been our efforts to expand medical, education, and retirement benefits that had been previously denied to National Guard soldiers deployed under the 12304b authority. Major General Nash has been a strong voice on this issue, and his work was critical to my efforts to enact bipartisan legislation to ensure Minnesota Guardsmen and Reservists have access to these services. Our veterans have earned these benefits through their service and sacrifice to our country, and they should not be denied those benefits.

In addition to his exemplary leadership of the Minnesota Guard's service in missions foreign and domestic, Major General Nash deserves special recognition for his work preparing the force for future energy and sustainability challenges. In particular, his work developing the Minnesota Guard's sustainable infrastructure has made the Minnesota Guard a pioneer in the use of solar and geothermal energy initiatives. In 2011, Minnesota National Guard facilities set a goal to reduce energy consumption by 3 percent. Forty-one Minnesota National Guard armories participated in this program and energy consumption was reduced by an average of 5.4 percent year over year through the use of geothermal and solar thermal heating, water reuse, solid waste recycling, as well as natural and LED lighting. Furthermore, all new construction projects under Major General Nash's leadership have been designed to LEED standards. These developments are so important because they reduce the Guard's reliance on fossil fuels and foreign oil, support jobs in the local economy, and reduce energy costs for the Guard, allowing them to invest more in our civilian soldier's readiness, training, and education. The work Major General Nash has done to prepare for future energy and sustainability challenges has ensured that the Minnesota National Guard will continue to lead the country on the battlefield and at home.

Finally, I want to note with my gratitude Major General Nash's many years of service as a judge in my annual poetry contest that allows Minnesota students to write about a military veteran who has made a difference in their lives. Each year, he spends hours reading these heartfelt poems and helping me decide which ones will hang in my Senate office.

I would like to extend my best wishes to Major General Nash upon his retirement and wish him the best of luck in his future endeavors. Thank you, General Nash. Your service to our Nation and our State has been indispensable and invaluable. Above all, it has made a difference to the men and women who served under you.

Thank you.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Cuccia, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:01 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 425. An act to authorize the revocation or denial of passports to individuals affiliated with foreign terrorist organizations, and for other purposes.

H.R. 1074. An act 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''.

H.R. 1488. An act to retitle Indiana Dunes National Lakeshore as Indiana Dunes National Park, and for other purposes.

H.R. 1585. An act to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws.

H.R. 2600. An act to provide for the conveyance to the State of Iowa of the reversionary interest held by the United States in certain land in Pottawattamie County, Iowa, and for other purposes.

H.R. 2936. An act to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

H.R. 3279. An act to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas.

H.R. 3903. An act to amend the Securities Act of 1933 to expand the ability to use testing the waters and confidential draft registration submissions, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 43. Concurrent resolution providing official recognition of the massacre of 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who have been captured in Wereth, Belgium, during the Battle of the Bulge on December 17, 1944.

At 12:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution:

S. Con. Res. 28. Concurrent resolution providing for a correction in the enrollment of S. 782.

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, November 2, 2017, he has signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 1329. An act to increase, effective as of December 1, 2017, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

ENROLLED BILL SIGNED

At 3:52 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 bill:

S. 782. An act to reauthorize the National Internet Crimes Against Children Task Force Program, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 425. An act to authorize the revocation or denial of passports to individuals affiliated with foreign terrorist organizations, and for other purposes; to the Committee on Foreign Relations.

H.R. 1074. An act 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.

H.R. 1488. An act to retitle Indiana Dunes National Lakeshore as Indiana Dunes National Park, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1585. An act to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2600. An act to provide for the conveyance to the State of Iowa of the reversionary interest held by the United States in certain land in Pottawattamie County, Iowa, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2936. An act to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3279. An act to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas; to the Committee on Energy and Natural Resources.

H.R. 3903. An act to amend the Securities Act of 1933 to expand the ability to use testing the waters and confidential draft registration submissions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 43. Concurrent resolution providing official recognition of the massacre of 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who had been captured in Wereth, Belgium, during the Battle of the Bulge on December 17, 1944; to the Committee on Armed Services.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3373. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (International Markets and Development), Department of the Treasury, received in the Office of the President of the Senate on November 1, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–3374. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Mississippi River/Gulf of Mexico Watershed Nutrient Task Force: 2017 Report to Congress''; to the Committee on Environment and Public Works.

EC–3375. A communication from the Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, defense services, and manufacturing know-how to the Republic of Korea to support the design and manufacture of Programmers and Digital Cockpit Display Units for ALE–47(V) Threat Adaptive Countermeasures Dispenser System (TACDS) to be used in Korean Utility Helicopters of the South Korean Army in the amount of $33,200,000 or more (Transmittal No. DDTC 17–022); to the Committee on Foreign Relations.

EC–3376. A communication from the Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, defense services, and manufacturing know-how to Canada to support the manufacture and delivery of constituent material of plasma spray powder for use in certain U.S. military ceramic coatings in the amount of $57,000,000 or more (Transmittal No. DDTC 17–026); to the Committee on Foreign Relations.

EC–3377. A communication from the Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms and accessories abroad controlled under Category I of the United States Munitions List of various caliber finished replacement barrels and various caliber rifle barrel blanks for commercial resale to Canada in the amount of $1,000,000 or more (Transmittal No. DDTC 17–081); to the Committee on Foreign Relations.

EC–3378. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the semi-annual report of the Inspector General for the period from April 1, 2017 through September 30, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–3379. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation entitled ''Veteran Coordinated Access and Rewarding Experiences (CARE) Act''; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 807. A bill to provide anti-retaliation protections for antitrust whistleblowers.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Matthew G. T. Martin, of North Carolina, to be United States Attorney for the Middle District of North Carolina for the term of four years.

Christina E. Nolan, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself, Mr. ALEXANDER, Mr. BURR, Mr. ENZI, Mr. ROBERTS, and Mr. CASSIDY):

S. 2059. A bill to amend title XVIII of the Social Security Act to provide for a 90-day period for the determination of whether a MIPS eligible professional or eligible hospital is a meaningful EHR user and to remove the all-or-nothing approach to meaningful use, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN (for himself, Mr. CARDIN, Mr. DURBIN, Mr. YOUNG, Mr. MARKEY, Mr. RUBIO, Mr. MERKLEY, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. KAINE, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. BOOKER, and Mrs. SHAHEEN):

S. 2060. A bill to promote democracy and human rights in Burma, and for other purposes; to the Committee on Foreign Relations.

By Mr. NELSON (for himself and Ms. KLOBUCHAR):

S. 2061. A bill to further deployment of Next Generation 9–1-1 services to enhance and upgrade the Nation's 9–1-1 systems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FLAKE:

S. 2062. A bill to require the Secretary of Agriculture to convey at market value certain National Forest System land in the State of Arizona; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself and Mr. BLUMENTHAL):

S. 2063. A bill to direct the Secretary of Veterans Affairs to submit to Congress certain documents relating to the Electronic Health Record Modernization Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. JOHNSON (for himself, Mr. DONNELLY, Mr. YOUNG, and Ms. BALDWIN):

S. 2064. A bill to amend the Richard B. Russell National School Lunch Act to include canned, dried, frozen, and pureed fruits and vegetables in the fresh fruit and vegetable program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. YOUNG (for himself, Mr. NELSON, Mr. HELLER, and Mr. BENNET):

S. 2065. A bill to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes; to the Committee on Finance.

By Mr. NELSON (for himself, Mrs. GILLIBRAND, and Ms. HARRIS):

S. 2066. A bill to provide housing and Medicaid assistance to families affected by a major disaster, and for other purposes; to the Committee on Finance.

By Mr. CRAPO:

S. 2067. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of certain DNA Specimen Provenance Assay clinical diagnostic laboratory tests; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. HATCH, Mr. THUNE, and Mr. DAINES):

S. 2068. A bill to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects, to require the Secretary of the Interior to develop a categorical exclusion for covered vegetative management activities carried out to establish or improve habitat for greater sage-grouse and mule deer, to address the forest health crisis on National Forest System land, to expedite and prioritize forest management activities to achieve ecosystem restoration objectives, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BROWN (for himself, Mrs. GILLIBRAND, Mr. DURBIN, Mr. FRANKEN, Mr. MERKLEY, Mrs. MURRAY, Mr. SANDERS, Ms. BALDWIN, and Mr. BOOKER):

S. 2069. A bill to amend the National Labor Relations Act to clarify the requirements for meeting the definition of the term ''employee'', and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. TILLIS, Mr. SCHUMER, and Mr. DURBIN):

S. 2070. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism; to the Committee on the Judiciary.

By Ms. HIRONO (for herself and Mr. SCHATZ):

S. 2071. A bill to authorize the temporary entry into the United States of alien crewmen employed on longline fishing vessels originating in Hawaii, to ensure that such aliens receive reasonable wages and working conditions, and to provide for appropriate enforcement and oversight of fishing companies employing such aliens; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. BOOKER, Mrs. FEINSTEIN, Mr. DURBIN, Mr. SANDERS, Mr. TESTER, Mr. WHITEHOUSE, and Mr. MARKEY):

S. 2072. A bill to amend the Toxic Substances Control Act to require the Administrator of the Environmental Protection Agency to take action to eliminate human exposure to asbestos, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself, Mr. GARDNER, and Mr. THUNE):

S. 2073. A bill to establish a vegetation management pilot program on National Forest System land to better protect utility infrastructure from passing wildfire, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HOEVEN:

S. 2074. A bill to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 321. A resolution honoring the career of Major General Richard C. Nash and recognizing his service to the United States and the State of Minnesota; to the Committee on Armed Services.

By Mr. LANKFORD (for himself and Mr. MANCHIN):

S. Con. Res. 29. A concurrent resolution recognizing the 100th anniversary of the Balfour Declaration; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 236

At the request of Mr. WYDEN, the name of the Senator from South Carolina (Mr. GRAHAM) 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. 322

At the request of Mr. PETERS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 514

At the request of Mr. PERDUE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 514, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide access to magnetic EEG/EKG-guided resonance therapy to veterans.

S. 620

At the request of Mr. FRANKEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 620, a bill to amend the Workforce Innovation and Opportunity Act to support community college and industry partnerships, and for other purposes.

S. 654

At the request of Mr. TOOMEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 654, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 699

At the request of Mr. MURPHY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 699, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental and behavioral health care to certain individuals discharged or released from the active military, naval, or air service under conditions other than honorable, and for other purposes.

S. 783

At the request of Ms. BALDWIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 783, a bill to amend the Public Health Service Act to distribute maternity

care health professionals to health professional shortage areas identified as in need of maternity care health services.

S. 807

At the request of Mr. GRASSLEY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 807, a bill to provide anti-retaliation protections for antitrust whistleblowers.

S. 833

At the request of Mr. TESTER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 833, a bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes.

S. 992

At the request of Mr. MCCAIN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 992, a bill to direct the Secretary of Veterans Affairs to conduct an independent review of the deaths of certain veterans by suicide, and for other purposes.

S. 1002

At the request of Mr. MORAN, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1014

At the request of Mrs. FISCHER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1014, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes.

S. 1027

At the request of Mr. HATCH, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1027, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 1089

At the request of Mr. PORTMAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1089, a bill to require the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

S. 1109

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1109, a bill to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

S. 1357

At the request of Ms. BALDWIN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1357, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic family care services in Medicaid.

S. 1568

At the request of Mr. MARKEY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Michigan (Mr. PETERS) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1568, a bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy.

S. 1707

At the request of Mrs. GILLIBRAND, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1707, a bill to amend the Food and Nutrition Act of 2008 to provide for a standard medical expense deduction under the supplemental nutrition assistance program, and for other purposes.

S. 1977

At the request of Mr. PORTMAN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1977, a bill to amend the Internal Revenue Code of 1986 to extend the 7.5 percent threshold for the medical expense deduction for individuals age 65 or older.

S. 2042

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2042, a bill to authorize a joint action plan and report on drug waste.

S. RES. 315

At the request of Mr. HOEVEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 315, a resolution designating November 4, 2017, as National Bison Day.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. TILLIS, Mr. SCHUMER, and Mr. DURBIN):

S. 2070. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today Senators KLOBUCHAR, TILLIS, SCHUMER, DURBIN and I will introduce legislation to help America's families locate missing loved ones who have Alzheimer's disease, autism or related conditions that may cause them to wander. Congressman CHRIS SMITH will introduce a virtually identical companion bill in the House of Representatives today as well.

Our bill, which was introduced for the first time in the 114th Congress, extends an existing program that helps locate individuals with Alzheimer's disease or dementia. It also adds new support for people with autism.

We have named the legislation in honor of two boys with autism who perished because their condition caused them to wander. One of these children, nine-year-old Kevin Curtis Wills, slipped into Iowa's Raccoon River near a park and tragically drowned in 2008. The other, 14-year-old Avonte Oquendo, wandered away from his school and drowned in New York City's East River a few years ago.

Theirs are not isolated cases. Just a few months ago, a four year-old with autism drowned in a pool after wandering away from her caretakers. We've all read or heard the heartbreaking stories of families frantically trying to locate a missing loved one whose condition caused him or her to wander off.

Our bill will give communities the tools they need to help locate people with Alzheimer's disease or other forms of dementia as well as children with autism spectrum disorders who wander away from their families or caregivers and into dangerous situations.

My home State of Iowa has the fifth highest Alzheimer's death rate in America and we have about 63,000 Iowans living with the disease, according to the Alzheimer's Association. Additionally, the CDC identified 1 in 68 children across the country as having autism spectrum disorders. In Iowa alone, about 8,000 individuals have been diagnosed with autism spectrum disorders.

This bill will make resources available to equip first responders, law enforcement officials, and other community leaders with the training and tools necessary to better prevent and respond to these cases as soon as possible. With better information sharing, communities can play a central role in reuniting autistic children and other individuals who wander with their families.

Finally, the bill will ensure that local law enforcement agencies and nonprofits that educate and train people on how to proactively prevent and locate missing individuals who wander are eligible for grants from the U.S. Department of Justice. These grants will facilitate the development of training and emergency protocols for

school personnel, supply first responders with additional information and resources, and make local tracking technology programs available for individuals who may wander from safety because of their condition. Grant funding may also be used to establish or enhance notification and communications systems for the recovery of missing children with autism.

I urge my colleagues to support this important legislation, which in the 114th Congress passed the Senate unanimously. The House companion bill garnered over 90 cosponsors and passed the other chamber by vote of 346 to 66 in the 114th Congress. Our bill has been endorsed by, among others, the Autism Society of Iowa, Autism Speaks, the National Autism Association, SafeMinds, the National Center for Missing and Exploited Children, ANCOR (American Network of Community Options), National Autism Society of America, the Alzheimer's Impact Movement, the National Down Syndrome Society, and the Color of Autism Foundation.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 29—RECOGNIZING THE 100TH ANNIVERSARY OF THE BALFOUR DECLARATION

Mr. LANKFORD (for himself and Mr. MANCHIN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 29

Whereas the Jewish people have had a homeland in modern-day Israel for more than 3,000 years;

Whereas on November 2, 1917, United Kingdom Foreign Secretary Lord Arthur Balfour wrote to Lord Walter Rothschild, to be declared to the Zionist Federation, a letter declaring, on behalf of the Government of the United Kingdom, support for a home for the Jewish people in the former Ottoman district of Palestine;

Whereas this letter, known as the Balfour Declaration, was ratified into international law by the League of Nations on July 24, 1922;

Whereas on September 21, 1922, President Warren G. Harding signed House Joint Resolution 322, after unanimous support from the House of Representatives and the Senate, favoring the establishment, in the former Ottoman district of Palestine, of a national home for the Jewish people;

Whereas the Balfour Declaration clearly recognized and sought to uphold the ''civil and religious rights of the existing non-Jewish communities in Palestine,'' as well as the ''rights and political status enjoyed by Jews in any other country''; and

Whereas the Balfour Declaration was a significant part of the chain of events that led to the establishment of the modern State of Israel on May 14, 1948: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) commemorates the centenary of the Balfour Declaration;

(2) affirms its commitment to maintaining the strongest of bilateral ties with the State of Israel; and

(3) recognizes the importance of the establishment of the modern State of Israel as a secure and democratic homeland for the Jewish people.

SENATE RESOLUTION 321—HONORING THE CAREER OF MAJOR GENERAL RICHARD C. NASH AND RECOGNIZING HIS SERVICE TO THE UNITED STATES AND THE STATE OF MINNESOTA

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 321

Whereas Major General Richard C. Nash served as the Adjutant General of the Minnesota National Guard with distinction during the last 7 years;

Whereas Major General Nash is a native of Minnesota who has dedicated his life to serving the United States and the State of Minnesota;

Whereas Major General Nash served honorably in the Armed Forces for 45 years, 29 of which were served in the Minnesota National Guard;

Whereas Major General Nash has commanded at all levels, from company to multinational task force, demonstrating steadfast and wise leadership;

Whereas the men and women of the Minnesota National Guard are among the very best in the United States, with more than 13,000 soldiers and airmen;

Whereas the Minnesota National Guard has 58 Army facilities and 2 air bases in more than 50 communities;

Whereas Major General Nash has led international initiatives in Iraq, Afghanistan, the Sinai Peninsula, and the Baltic region, helping to protect the interests of the United States and spread the values of the United States around the world;

Whereas Major General Nash has kept Minnesotans safe during times of floods and other natural disasters;

Whereas Major General Nash has been a strong advocate for the men and women of the Minnesota National Guard and the families of those men and women;

Whereas Major General Nash has been committed to the Beyond the Yellow Ribbon program of Minnesota, which helps returning servicemembers and the families of those servicemembers;

Whereas Major General Nash has been a tireless advocate for Family Assistance Centers, which advocate for veterans of the Armed Forces and the loved ones of those veterans;

Whereas Major General Nash is a highly decorated military officer and the recipient of many awards, including—

(1) the Distinguished Service Medal of the Army;

(2) the Defense Superior Service Medal;

(3) the Legion of Merit;

(4) the Bronze Star Medal;

(5) the Meritorious Service Medal;

(6) the Army Commendation Medal;

(7) the Army Achievement Medal;

(8) the Army Reserve Components Achievement Medal;

(9) the National Defense Service Medal;

(10) the Armed Forces Expeditionary Medal;

(11) the Iraq Campaign Medal;

(12) the Global War on Terrorism Service Medal;

(13) the Armed Forces Service Medal;

(14) the Armed Forces Reserve Medal;

(15) the Army Service Ribbon;

(16) the Overseas Service Ribbon;

(17) the Army Reserve Components Overseas Training Ribbon;

(18) the North Atlantic Treaty Organization Medal;

(19) the Minnesota Commendation Ribbon;

(20) the Minnesota State Active Duty Ribbon;

(21) the Minnesota Distinguished Recruiting Ribbon;

(22) the Minnesota Service Ribbon;

(23) the Expert Infantryman Badge; and

(24) the Air Assault Badge; and

Whereas the service of Major General Nash lives on through his legacy in the United States, Minnesota, and abroad: Now, therefore, be it

Resolved, That the Senate—

(1) honors the decades of distinguished service of Major General Richard C. Nash; and

(2) congratulates Major General Richard C. Nash on his retirement, which took place on October 31, 2017, following a distinguished 45-year military career.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GARDNER. Mr. President, I have 4 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, November 2, 2017, at 9:30 a.m., to conduct a hearing on the following nominations: Mark T. Esper, of Virginia, to be Secretary of the Army, Robert L. Wilkie, of North Carolina, to be Under Secretary for Personnel and Readiness, Joseph Kernan, of Florida, to be Under Secretary for Intelligence, and Guy B. Roberts, of Virginia, to be an Assistant Secretary, all of the Department of Defense.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, November 2, 2017, at 9:30 a.m., in room SD–366 to hold a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, November 2, 2017, at 10 a.m., in room SD–226 to conduct a hearing on S. 807 and the following nominations: of Gregory G. Katsas, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, Jeffrey Uhlman Beaverstock, to be United States District Judge for the Southern District of Alabama, Emily Coody Marks, and Brett Joseph Talley, both to be a United States District Judge for the Middle District of Alabama, Holly Lou Teeter, to be United States District Judge for the District of Kansas, and Matthew G. T. Martin, to be United

States Attorney for the Middle District of North Carolina, and Christina E. Nolan, to be United States Attorney for the District of Vermont, both of the Department of Justice.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, November 2, 2017, at 2 p.m., in room SH–219 to conduct a closed hearing.

ORDERS FOR MONDAY, NOVEMBER 6, 2017

Mrs. FISCHER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, November 6; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, 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 and resume consideration of the Engel nomination under the previous order.

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

ADJOURNMENT UNTIL MONDAY, NOVEMBER 6, 2017, AT 3 P.M.

Mrs. FISCHER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 4:35 p.m., adjourned until Monday, November 6, 2017, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL RESERVE SYSTEM

JEROME H. POWELL, OF MARYLAND, TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS, VICE JANET L. YELLEN, TERM EXPIRING.

DEPARTMENT OF COMMERCE

JEFFREY KESSLER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE PAUL PIQUADO, RESIGNED.

DEPARTMENT OF STATE

ROBIN S. BERNSTEIN, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DOMINICAN REPUBLIC.

CHRISTOPHER ASHLEY FORD, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL SECURITY AND NON–PROLIFERATION), VICE THOMAS M. COUNTRYMAN, RESIGNED.

DEPARTMENT OF JUSTICE

JOHN C. ANDERSON, OF NEW MEXICO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW MEXICO FOR THE TERM OF FOUR YEARS, VICE DAMON P. MARTINEZ, RESIGNED.

JOSEPH D. BROWN, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE JOHN MALCOLM BALES, RESIGNED.

JOHN H. DURHAM, OF CONNECTICUT, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF CONNECTICUT FOR THE TERM OF FOUR YEARS, VICE DEIRDRE M. DALY, RESIGNED.

BRANDON J. FREMIN, OF LOUISIANA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS, VICE JAMES WALTER FRAZER GREEN, RESIGNED.

ROBERT K. HUR, OF MARYLAND, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MARYLAND FOR THE TERM OF FOUR YEARS, VICE ROD J. ROSENSTEIN, TERM EXPIRED.

RYAN K. PATRICK, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE KENNETH MAGIDSON, RESIGNED.

MCGREGOR W. SCOTT, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS, VICE BENJAMIN B. WAGNER, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 2, 2017:

DEPARTMENT OF ENERGY

PAUL DABBAR, OF NEW YORK, TO BE UNDER SECRETARY FOR SCIENCE, DEPARTMENT OF ENERGY.

MARK WESLEY MENEZES, OF VIRGINIA, TO BE UNDER SECRETARY OF ENERGY.

FEDERAL ENERGY REGULATORY COMMISSION

RICHARD GLICK, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2022.

KEVIN J. MCINTYRE, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 30, 2018.

KEVIN J. MCINTYRE, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2023.

DEPARTMENT OF ENERGY

STEVEN E. WINBERG, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY).

NATIONAL MEDIATION BOARD

KYLE FORTSON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2019.

GERALD W. FAUTH, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2020.

LINDA A. PUCHALA, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2018.

DEPARTMENT OF STATE

PETER HENRY BARLERIN, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

KATHLEEN M. FITZPATRICK, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF TIMOR–LESTE.

MICHAEL JAMES DODMAN, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF MAURITANIA.

MICHELE JEANNE SISON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HAITI.

JAMIE MCCOURT, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FRENCH REPUBLIC, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PRINCIPALITY OF MONACO.

RICHARD DUKE BUCHAN III, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SPAIN, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ANDORRA.

LARRY EDWARD ANDRE, JR., OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF DJIBOUTI.

THOMAS L. CARTER, OF SOUTH CAROLINA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION .

NINA MARIA FITE, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ANGOLA.

DANIEL L. FOOTE, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZAMBIA.

KENNETH IAN JUSTER, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDIA.

W. ROBERT KOHORST, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CROATIA.

EDWARD T. MCMULLEN, JR., OF SOUTH CAROLINA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SWISS CONFEDERATION, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PRINCIPALITY OF LIECHTENSTEIN.

DAVID DALE REIMER, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MAURITIUS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SEYCHELLES.

ERIC P. WHITAKER, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER.

CARLA SANDS, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF DENMARK.

MICHAEL T. EVANOFF, OF ARKANSAS, TO BE AN ASSISTANT SECRETARY OF STATE (DIPLOMATIC SECURITY).

MANISHA SINGH, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC AND BUSINESS AFFAIRS).

THE JUDICIARY

ALLISON H. EID, OF COLORADO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.

STEPHANOS BIBAS, OF PENNSYLVANIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

EXTENSIONS OF REMARKS

TRIBUTE TO ROBERT C. HARRISON

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. BROOKS of Alabama. Mr. Speaker, I rise today to recognize the life of Robert C. Harrison of Huntsville, Alabama in my district. He passed this life on October 25, 2017 at age 74 and leaves behind a wife, two children, their spouses, and four grandchildren.

Throughout his life, Mr. Harrison exemplified hard work, commitment, and service. He established and owned multiple local business efforts, including the Bob Harrison Ford & Lincoln Mercury Dealership and USA Land Development & Consulting. Mr. Harrison was also a steadfast community volunteer, civil rights activist, and member of many civic and charitable organizations. He served as Vice President of the National Association of Black County Officials, Subcommittee Vice Chair of the National Association of County Officials Justice and Public Safety Steering Committee, and a lifelong member of Alpha Phi Alpha Fraternity.

To North Alabama's lasting benefit, Mr. Harrison was also elected to three terms as County Commissioner of Madison County, Alabama between 2004 and 2012. From that position, Mr. Harrison worked to bring economic improvement to the northwest area of Huntsville. A few examples of his legacy there include the Northwest Huntsville Community Service Organization, the Northwest Community Learning Center, and the Robert ''Bob'' Harrison Senior Wellness and Advocacy Center.

I am confident that the 5th Congressional District of Alabama is better today for Commissioner Harrison's dedicated service. Today, I join with all of those touched by his life in offering my condolences and prayers to his family.

2017 WOMAN OF THE YEAR AWARD WINNER-KATE MELLON–ANIBABA

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Kate Mellon-Anibaba of Davis, California, who has made it her mission to bring people together in the name of tolerance and spread support for marginalized groups within her community. Following this year's attacks on Muslim communities throughout California, Ms. Mellon-Anibaba organized an event she called a ''Statement of Love.'' Her idea was to bring people together to show their support for Muslims in her community. In response to the hateful words and actions she saw directed at certain minorities, Ms. Mellon-Anibaba created her own demonstration of support, solidarity, and acceptance. She was determined to make a positive impact in her community, and she succeeded.

Following a particularly disturbing attack on the Islamic Center right in her own community, she brought together over 1,000 people to show their support for their neighbors. She helped raise tens of thousands of dollars to help pay for repairs to businesses and places of worship targeted by hate-driven vandalism.

Ms. Mellon-Anibaba brought people together to show their support, tolerance, and acceptance of a marginalized community within their community. Her message of peace, tolerance, and support has spread to surrounding communities and inspired similar demonstrations of solidarity. Her determination to bring her community together in the face of hatred is inspirational.

TRIBUTE TO ROSE BASS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Rose Bass of Adel, Iowa on receiving the Volunteer of Excellence Award from the Girl Scouts of Greater Iowa.

The Girl Scouts of Greater Iowa strives to help give girls the courage, confidence and character necessary to make the world a better place, and they rely on countless volunteers to help instill these values. The Volunteer of Excellence Award recognizes those volunteers who have given outstanding service to help guide girls directly through the Girl Scout Leadership Experience or supporting the mission of the Girl Scouts of Greater Iowa. Rose leads Girl Scout Troops 468 and 505 in the Adel area.

Mr. Speaker, I am honored to represent community leaders like Rose in the United States Congress and it is with great pride that I recognize her today. I ask that my colleagues in the United States House of Representatives join me in congratulating Rose for this outstanding recognition and in wishing her nothing but continued success.

REMEMBERING MR. GIDCUMB

HON. JAMES COMER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. COMER. Mr. Speaker, I would like to recognize the passing of a very special individual and true patriot: Mr. Edward Earl Gidcumb. Mr. Gidcumb was 92 at the time of his passing on October 25, 2017. He was born in Harrisburg, KY, and raised by his maternal grandparents, Broughton Temple and Nancy Ann Cummins.

Mr. Gidcumb attended Harrisburg Township High School, graduating in 1943. And in 1965, he received his business degree from Paducah Junior College. During World War II, he served our nation honorably as a member of the U.S. Navy, holding rank of storekeeper second class. He was assigned to two different ships, the USS Indianapolis and USS Bottineau. He received an honorable discharge from the Navy in February 1946.

Mr. Gidcumb served in the Illinois National Guard for two years as a sergeant and squad Leader, was a member of the American Legion, and received several honors throughout his life, including being named Duke of Paducah, Honorary Patriot Guard Rider, and Honorary Mustang. In his military endeavors, he was also awarded six battle stars, an honor one should be immensely proud of. Mr. Gidcumb was truly an outstanding leader and contributor in both his military and civilian life.

After his time in the military, Mr. Gidcumb retired as a purchasing manager at Westvaco. He also served as president of the National Association of Purchasing Managers. A participant and supporter of the Kentucky Veteran and Patriot Museum, many people from across the country had the opportunity to learn about his service to the U.S. But beyond his military and career accomplishments, many will remember Mr. Gidcumb as an avid golfer and also a professional trumpeter. He directed his own Big Band dance band, ''The Townsmen,'' for 30 years. The band played at numerous community events and regularly at First Baptist Church of Wickliffe. He enjoyed sharing his joy of golf with his friends, especially at Ballard County Country Club.

I am honored to recognize the memory of an individual whose life represented such patriotism, civic engagement, joy and compassion. Mr. Gidcumb will not soon be forgotten, as his remarkable life of accomplishments, skills and experiences will live on.

2017 WOMAN OF THE YEAR AWARD WINNER—JUDITH HOLZAPFEL

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Mrs. Judith Holzapfel of Orland, California, whose leadership and civic spirit has no bounds. Her service to country and community began when she enlisted in the United States Air Force after having graduated from Marquette University with a degree in nursing. Following basic training, Judith was stationed at Beale Air Force Base where she met her husband. Following the birth of her son, she began her civilian career working in area hospitals.

After pursuing further education, Mrs. Holzapfel eventually became Glenn County's school nurse and continued in that role for the next 30 years. Her many years of work and

dedication has made a difference in health education and quality of life for thousands of students and their families.

After retiring from her many years of service to Glenn County, Mrs. Holzapfel decided to continue her public services. She ran for a position on the Glenn County Board of Education, and won by an overwhelming majority.

Mrs. Holzapfel is an active member of many community service organizations throughout the county and devotes her time to helping youth, veterans, and the impoverished. Above all, as a mother, grandmother, community activist, and veteran; Mrs. Holzapfel is passionate and dedicated to upholding the values of her family, and of her country.

175TH ANNIVERSARY OF FOLEY & LARDNER LLP

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. POCAN. Mr. Speaker, I include in the RECORD the following Proclamation in honor of the 175th Anniversary of Foley & Lardner LLP:

Whereas, Foley & Lardner LLP is celebrating its 175th anniversary and has made a distinct impact in the state of Wisconsin through economic investment and community engagement; and

Whereas, Foley & Lardner traces its roots in Wisconsin to 1842 when Asahel Finch and William Pitt Lynde opened the doors to their law firm in Milwaukee six years prior to Wisconsin gaining its statehood; and

Whereas, the firm, from its humble beginnings, has grown along with the state of Wisconsin, expanding to the city of Madison, and becoming the state's largest law firm; and

Whereas, Foley & Lardner opened an office in Washington, DC, in 1971, becoming the first Wisconsin law firm to open an office outside the state;

Whereas, the firm has since expanded to include 19 offices in the United States, Belgium, and Japan; and

Whereas, Foley & Lardner attorneys and staff have helped Wisconsin industries grow and thrive locally, nationally, and internationally; and

Whereas, the firm's attorneys have served the state and its communities by providing leadership in elected offices and helping shape public policy; and

Whereas, Foley & Lardner has played a significant role at critical times in our nation's history, including during the Civil War, the Great Depression, the New Deal; and

Whereas, Foley & Lardner attorneys and staff are a pillar in the community, providing many hours of pro bono and volunteer efforts; now, therefore, I, U.S. Representative MARK POCAN, do hereby proclaim Foley & Lardner on this special 175th anniversary, a leading Wisconsin business, as well as a keystone to the ongoing growth and development in our congressional district.

On behalf of the Second Congressional District of Wisconsin, I wish Foley & Lardner continued growth and success in the years ahead.

TRIBUTE TO MARK HILLENBRAND

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mark Hillenbrand of West Des Moines, Iowa for being named one of West Des Moines Chamber's Citizens of the Year for 2017.

The West Des Moines Chamber every year recognizes a Citizen of the Year, a community member who "demonstrates an unparalleled dedication to service and general betterment of the community." Mark is a Clinical Social Worker who owns a private practice in Des Moines. Over the past year, Mark, along with Valley High School Associate Principal David Maxwell, helped to organize several West Des Moines equity, diversity and multicultural discussions, bringing together the community and students to tackle educational inequality and ensure that all students have equal opportunities for a quality education.

Mr. Speaker, I am honored to represent community leaders like Mark in the United States Congress and it is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating Mark for this outstanding recognition and in wishing him nothing but continued success.

2017 WOMAN OF THE YEAR AWARD WINNER—CHRISTINE IVORY

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Christine Ivory of Live Oak, California, who has dedicated herself to serving her community by advocating for its agricultural industry. After serving on the Board of Directors for the Yuba-Sutter Farm Bureau for six years, she is to become its President. She has immersed herself in the issues of the agricultural community by serving on eleven of the farm bureau's committees. In her work at the Yuba Sutter Farm Bureau, Ms. Ivory takes particular pride in educating youth on the importance of agriculture. She has been instrumental in maintaining and growing her community's agriculture education programs, such as FFA and 4-H.

Ms. Ivory is also committed to the preservation of agricultural lands and serves in many organizations working towards this goal. She dedicates her time to many community organizations providing for economic development and community improvement. Through her extensive involvement in the agricultural industry and many service organizations, Ms. Ivory has demonstrated that she is invested in the Yuba and Sutter county communities.

PERSONAL EXPLANATION

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. DUFFY. Mr. Speaker, I am not recorded because I was absent. Had I been present, I would have voted YEA on Roll Call No. 591.

CLIMATE SOLUTIONS CAUCUS

SPEECH OF

HON. DON BACON

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 1, 2017

Mr. BACON. Mr. Speaker, I rise today with my colleagues in the Climate Solutions Caucus in recognition of a problem that concerns many of us—climate change.

It is hard to deny that our climate is changing. Whether caused by cyclical weather changes or impacted by man's role, it is clear we are seeing changes in the polar ice and a rise in temperatures. It is one of my goals in Congress to keep the momentum we have seen in previous decades of continuing improvement in our environment. We all want to leave our planet cleaner for our children and grandchildren.

It is my hope to advance the dialogue and advocate for more renewable and diverse energy sources. Top defense authorities, such as Secretary Mattis, have been vocal on how climate change has affected the DoD's threat assessments, resources, and operation readiness, but Congress must do more to combat this threat.

As an incoming freshman in the 115th Congress, I have made it my mission to get things accomplished. I have joined the Bipartisan Climate Solutions Caucus, and have advocated for an incremental improvements approach to address climate change, while recognizing that the issue is a matter of national security. During the FY18 National Defense Authorization Act debate, I as well as some of my other House colleagues, led the charge to ensure adoption of Section 336, which recognizes climate change as a national security issue, and allows the DOD to assess its risks and determine next steps to mitigate such threats. This section ensures that the Armed Forces are prepared to handle the effects of a changing climate as it relates to military operations. By conducting studies within the Services and Combat Commands, DoD will be able to better understand the problem. Congress has a duty to ensure that the DoD is resilient and prepared for anything that may threaten its mission and operations and I hope to see the text of Section 336 in the final NDAA bill.

It is in America's best interest to improve clean energy technology and expand production of renewable energies. Environmental practices do not need to come at the expense of economic growth though. We must encourage greater environmental stewardship amongst the private sector and foster economic success. Omaha now has 30 percent of energy from wind and it's growing. I support continued use of solar, ethanol, and sources of hydrothermal.

As members of the Bipartisan Climate Solutions Caucus, we proactively seek pragmatic

solutions to address environmental concerns. It is a priority of mine to have all members recognize the impacts of climate change and our role to leave a cleaner planet for our children and grandchildren. I am committed to ensuring energy independence for our country and North America and ensuring that the use of renewable energy gains a larger share of our overall energy production.

2017 WOMAN OF THE YEAR AWARD WINNER—JEANNIE KLEVER

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Jeannie Klever, who has an extensive record of service in Sutter County, California, which she has called home for the past 27 years. Jeannie embodies the qualities of a community activist and public servant, and we are proud to honor her today. Growing up in the 60's, Jeannie experienced a mixture of gender and racial inequalities which influenced and shaped her career choices. Her activism began at an early age when during school she protested an end to the Vietnam War. She also advocated for more on-site tutors for students of color and when met with opposition, Jeannie volunteered as a tutor through the rest of her school years. She strongly believes education was and remains the path out of poverty.

Jeannie's desire to help families with special needs children was due to the challenges her family endured after her brother was diagnosed with severe autism. She operated a Family Resource Center that delivered support services and resources to families of low income and special needs adults and children. She taught self-advocacy for the local school's individualized education programs and medical service needs students.

Jeannie's community and public service involvement is extensive. Jeannie has been a member of and continues to support several nonprofit organizations. For the past 15 years, she has sponsored an annual Art Contest for Sutter Union High School students. In 2008, Jeannie joined the local Democratic Party's central committee as a way to increase community engagement where she served three terms. In 2013, Jeannie joined the U.S. House of Representatives as my district representative serving Yuba and Sutter counties until her recent retirement.

Jeannie continues to volunteer in the community and helps families in need when she can. Jeannie has learned to appreciate the art culture and enjoys mixed media arts as a way to relax. She and her husband Dale are enjoying family time with their children and two grandchildren.

TRIBUTE TO DAVID MAXWELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate David Maxwell of West Des Moines, Iowa for being named one of West Des Moines Chamber's Citizens of the Year for 2017.

The West Des Moines Chamber every year recognizes a Citizen of the Year, a community member who "demonstrates an unparalleled dedication to service and general betterment of the community." David is the Associate Principal at Valley High School in West Des Moines, a role he has served in since 2005. Over the past year, David, along with Clinical Social Worker Mark Hillenbrand, helped to organize several West Des Moines equity, diversity and multicultural discussions, bringing together the community and students to tackle educational inequality and ensure that all students have equal opportunities to have a quality education.

Mr. Speaker, I am proud to represent community leaders like David in the United States Congress and it is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating David for this outstanding recognition and in wishing him nothing but continued success.

HONORING MOISES LOZA

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the retirement of Moises Loza.

Moises Loza grew up in South Texas in a migrant farmworker family. During his childhood, he traveled with his family throughout the South, Midwest and West coast in search of farm-work. His first-hand experience of how hard families work to survive in this country is the perfect example of the families residing in Mississippi's Second Congressional District.

In fact, while Loza served as Executive Director of the Housing Assistance Council—a national nonprofit corporation that works to increase the availability of decent housing for rural low-income people—he ensured the organization provided technical assistance, training and research to assist with housing development for low-income and hard-working families residing in the lower Mississippi Delta. Loza also serves in leadership roles on many housing related organizations.

Currently, he serves as chairman of the Rural Development Leadership Network and treasurer of the National Low Income Housing Coalition. He also serves on the board of directors for the National Community Reinvestment Coalition, the National Housing Conference, the National Rural Housing Coalition, and the Morgan Stanley Advisory Committee.

His selfless work to provide housing opportunities for families in need is something that we all should celebrate.

Mr. Speaker, I ask my colleagues to join me in recognizing a great public servant, Moises Loza, for his work to provide equal and fair housing.

PERSONAL EXPLANATION

HON. ANTHONY G. BROWN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. BROWN of Maryland. Mr. Speaker, I regrettably voted incorrectly on November 1, 2017 during Roll Call No. 596, the Pearce Amendment No. 7 to H.R. 2936.

I inadvertently voted AYE when I meant to vote NAY on Roll Call No. 596.

2017 WOMAN OF THE YEAR AWARD WINNER—CATHERINE MORRIS

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Catherine Morris, who has dedicated her 30 years in Dixon, California to serving her community. As the pastor of the Dixon United Methodist Church, she has had countless opportunities to serve her congregation as well as the community as a whole. Outside of her role as pastor, her passion has been serving the youth of the Dixon community. Through her work with Dixon Family Services, Dixon Advocates for Children, and the Safe Schools Task Force, Ms. Morris works to keep the youth in her community safe and provide them with opportunities for success.

Ms. Morris' leadership also extends to Dixon's senior communities. She is an advocate for securing affordable senior housing and adequate senior transportation services. Her support for senior programs in her community is ongoing, and she regularly assists seniors in finding the programs and services which can best serve their needs.

Ms. Morris is a devoted servant to the people of Dixon. Anyone who knows her will tell you that her generous spirit, endless energy, and genuine warmth make her a beloved and respected member of the Dixon community.

TRIBUTE TO EAGLE SCOUT COLE NICHOLSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Cole Nicholson of Bondurant, Iowa for earning the rank of Eagle Scout.

The Eagle Scout designation is the highest advancement rank in scouting. Approximately two percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Scout Project to benefit the community. For his project, Cole saw a need for exercise stations, consisting of

items like bars, boxes, and balance beams, around Lake Petocka in Bondurant. After going through the approval process with the city and raising the $1,600 from friends and local organizations, Cole led a team that installed the equipment last October, and has already seen people using them. He completed his Eagle Scout journey at the young age of 14, years younger than most Eagle Scouts earn their ranking. The work ethic Cole has shown in his Eagle Scout Project and throughout his scouting career speaks volumes about his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Cole and his family in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating him on obtaining the Eagle Scout ranking and in wishing him nothing but continued success in his future education and career.

HONORING SCOTT RASMUSSEN

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. HUFFMAN. Mr. Speaker, I rise to pay tribute to Scott Rasmussen, an important member of my team for many years who will be leaving my office after this week to travel and pursue his varied interests.

Scott is a native Californian who graduated from Brown University in 2010, then returned to the Bay Area where he worked in the areas of law and technology. I was soon fortunate to have him join my campaign team, where he demonstrated the confidence, intellectual curiosity, diligence, and political instincts that have served him so well over the years I have known him—and which I am sure will continue to bring him success in the future.

Scott helped to form the initial core of my congressional staff in 2013, showing a willingness to pitch in and cover any topic that was thrown to him, from answering phones to tackling policy questions. Over the ensuing years, Scott has taken on new roles and regularly delivered results for my constituents and the planet. Notable successes include the passage of the Point Reyes Coast Guard Housing Conveyance Act, which will allow a former property in West Marin to be repurposed as affordable housing and community space, and his work on our successful bipartisan effort to strike a nearly half-century old congressional earmark that cost taxpayers millions of dollars each year to ship Pennsylvania coal 3,000 miles to American bases in Germany.

With diligence and finesse, Scott has helped to develop a number of key legislative initiatives, and his intellect and maturity have allowed me to entrust him with sensitive foreign policy matters as well. Major projects have included my work to expand broadband access to rural communities, and our ongoing efforts to make sure that homeowners are protected from an unexpected tax bill when they work to reduce water use. Finally, he has worked on the tribal policy portfolio that is a priority in my office, helping to devise several complex and meaningful bills for the tribal members I represent.

For six years I have had the benefit of Scott's good work, and I am deeply appreciative. Along with my family and my staff, I wish Scott the best of luck as he moves on the next phase of his career.

2017 WOMAN OF THE YEAR AWARD WINNER—CHRISTINE PONCE

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Christine Ponce of Woodland, California, who has dedicated 27 years to California's agricultural industry. She has worked cultivating many crops, ultimately becoming California's first female rice miller. In that role she managed many facets of rice production, ensuring that the plant operated at full capacity. In her 27 year career she overcame many challenges—from low wages to serious injury—and inspired many women that they too could pursue a career once considered only for men.

A proud descendent of a Bracero, Ms. Ponce has strong ties to the California agricultural community. In her time as a rice miller she helped advocate for the rights of agricultural workers by serving the local chapter of the International Longshore and Warehouse Union. In addition to working long, demanding hours, she took time to serve as a secretary for the ILWU Local 150. Ms. Ponce's long and distinguished career has demonstrated her devotion to California's vibrant agricultural community.

HONORING CORPORAL PETE ARANDA, JR., U.S. ARMY

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Corporal Pete Aranda, Jr., U.S. Army, a decorated soldier from Round Rock, TX. In all aspects of life, CPL Aranda goes beyond the call of duty. It is my honor to award him the Congressional Veteran Commendation.

CPL Aranda enlisted in the Army in 1988 and served a short stint in the 3/64 Armor, 3rd Infantry Division in Germany. He then deployed in the spring of 1991 as a medic to Saudi Arabia, Bahrain, and Kuwait. As testament to the quality of his service, CPL Aranda received numerous medals and commendations, including the Combat Field Medical Badge, Expert Field Medical Badge, Army Commendation Medal, National Defense Medal, and two Southwest Asia Campaign Medals. A true patriot, Corporal Aranda continued to honorably serve after his discharge from active duty as a Respiratory Therapist at the 349th General Hospital, U.S. Army Reserve.

In 1995, CPL Aranda returned home to Port Arthur, Texas where he worked for the Beaumont Health Department. In civilian life, CPL Aranda has served those around him with boundless altruism. His commitment to his community can be seen through his involvement in and leadership of many organizations, including the Greater Houston Red Cross, Camp Allen, the Talking Book Program and the Texas Stream Team. CPL Aranda's tireless efforts have touched the lives of many and have helped make Central Texas a place people are proud to call home.

A reflection of the best values of our nation, CPL Aranda's service to his community and country has made a resounding impact on those around him. I thank CPL Pete Aranda, Jr., a leader with a servant's heart, for his dedication and service.

TRIBUTE TO CARRIE SMITH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Carrie Smith from Summerset Winery in Indianola, Iowa for being named the 2017 "Winemaker of the year" by the Iowa Wine Growers Association.

Carrie has spent the last 10 years working at Summerset Winery, serving as winemaker and vineyard manager. She is responsible for making over 20 different wines every year. Carrie has been recognized at the local and national level for her winemaking prowess, winning the Dick Peterson award for best Iowa wine twice, along with numerous gold medal wines and other awards.

Mr. Speaker, I am proud to represent Carrie, and Iowans like her, in the United States Congress and it is with great pride that I recognize her today. I ask that my colleagues in the United States House of Representatives join me in congratulating Carrie for this outstanding recognition and in wishing her nothing but continued success.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY 1LT ROBERT CHARLES ONETO-SIKORSKI

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi soldier Army First Lieutenant (1LT) Robert Charles Oneto-Sikorski who gave his life while in service to our great nation on October 31, 2005, during Operation Iraqi Freedom. 1LT Oneto-Sikorski was killed when an improvised explosive device detonated near his dismounted patrol in Iskandariyah, Iraq. 1LT Oneto-Sikorski was assigned to the 1st Battalion, 155th Infantry, Mississippi Army National Guard, Biloxi, Mississippi.

1LT Oneto-Sikorski was born on September I, 1972, in New Orleans, Louisiana, but called Bay St. Louis his home. According to the Associated Press, while 1LT Oneto-Sikorski was serving in Iraq, his home was flooded from the

storm surge caused by Hurricane Katrina. Despite his loss, Elaine Oneto, 1LT Oneto-Sikorski's mother, said her son looked to the future and talked about his homecoming which would have been in December 2005. ''He was devoted to his children. He is so much more than any of us could say,'' Mrs. Oneto said. ''He was a wonderful man who loved everyone and his loss is going to devastate this whole community.''

Patrick Rager, 1LT Oneto-Sikorski's son, recently said he will always be remembered for his service and sacrifice. ''I am proud of his service, and to this day, I strive to make him proud through hard work and getting good grades in school,'' Patrick said. ''Many people go through this life and have little to no impact. Because of his sacrifice, he will not be forgotten.''

1LT Oneto-Sikorski was remembered by a fellow soldier on a memorial website. ''I was serving with Ski in Iraq. He was my XO and my close friend,'' SFC Gene Dufrene said. ''Ski was by far the best officer that anyone could serve with. He was what we NCOs called a real soldiers' officer. He would break his neck to take care of us. He took care of each and every soldier under his command. We all miss our brother and we will always remember Ski for the man he was to each of us soldiers.''

1LT Oneto-Sikorski was employed at Northrop Grumman's Ingalls Shipyard in Pascagoula, Mississippi, where he worked in the engineering department.

1LT Oneto-Sikorski was buried with full honors at the Biloxi National Cemetery.

1LT Oneto-Sikorski is survived by his parents, Elaine Marie Oneto and Robert Charles Sikorski, II; his wife, Kristine Seamans Sikorski; his three children, Robert Charles Sikorski, II, Patrick Rager, and Hannah Rager; the mother of his children, Clare Rager; and his two sisters, Shawn Durfey, and Kathleen Sherlock.

1LT Oneto-Sikorski demonstrated courage and bravery protecting the freedoms we all enjoy. His service and sacrifice for America will not be forgotten.

2017 WOMAN OF THE YEAR AWARD WINNER—JODY SAMONS

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Ms. Jody Samons of Willows, California, who has dedicated over 37 years to serving her community of Glenn County. She has touched the lives of countless people through her work and volunteer activities. In her current position as Glenn County's Community Development Director, Ms. Samons has secured over $200,000 in grants and worked with numerous companies to create over 200 new jobs in the area. Her overwhelming success in this role has had, and will continue to have, an undeniably positive impact on her community.

In her volunteer capacities, Ms. Samons has worked to support the youth of her community by creating opportunities and guiding them to success. Ms. Samons was instrumental in the creation of the Orland High School Booster club which helped support youth athletic programs in her community. She has also spent many years supporting youth in FFA or 4-H programs in any way she could. Ms. Samons served for many years on the Glenn County Junior Livestock Auction Committee and went on to found a non-profit organization to support the program when its future was in jeopardy. She also served for 7 years on the Glenn County Fair Board and worked tirelessly to ensure its continued success. Ms. Samons has spent many years supporting the youth in her community and never passed up an opportunity to help out.

HONORING FIRST LIEUTENANT PHILLIP DUPREY

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor First Lieutenant Phillip Duprey of the United States Army for his dedication and service to our country. 1LT Duprey's extraordinary patriotism, citizenship, and commitment to community and service reflects the best values of Central Texas. He is a fitting recipient of a Congressional Veteran Commendation.

During his deployment to Vietnam, Phillip Duprey faced grave and mortal danger while conducting intelligence collection as a member of the Army Security Agency for the IV Division of the 101st Airborne Division. 1LT Duprey's leadership, dedication, and bravery undoubtedly saved the lives of many. For his service and valor in combat, 1LT Duprey received numerous medals including the Bronze Star and the National Defense Service Medal.

1LT Duprey's service and sense of duty did not finish with the end of his military career. Upon returning to the great state of Texas, 1LT Duprey dedicated his civilian life to the uplifting and betterment of his community. As a highly respected citizen, he is active in numerous community organizations, including twenty-two years on the Cedar Park Chamber of Commerce. Additionally, he served on the Cedar Park City Council for six years, the last two as Mayor pro tem. 1LT Duprey has dedicated himself to serving his community and is an embodiment of the Army values of honor, loyalty, and selfless service. For these reasons and many more, his community came together to honor 1LT Duprey as Cedar Park Citizen of the Year in 2000 and 2014.

I commend First Lieutenant Phillip Duprey's selfless service to the U.S. Army, the nation, and his community. He is a hero who has devoted his life to defending our freedoms abroad and serving his community at home. I join 1LT Duprey's family, friends, and neighbors in celebrating his outstanding achievements.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER STAFF SERGEANT (SSG) JOE NATHAN WILSON

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Staff Sergeant (SSG) Joe Nathan Wilson who paid the ultimate sacrifice while defending our great nation on November 2, 2003, during Operation Iraqi Freedom. SSG Wilson was mortally wounded in an attack on a CH–47 Chinook helicopter near Fallujah, Iraq. Fifteen other servicemen were killed in the crash. He died from his injuries in a Kuwait hospital. SSG Wilson was assigned to Alpha Battery, 2nd Battalion, 5th Field Artillery Regiment, 3rd Corps Artillery, Fort Sill, Oklahoma.

According to the Associated Press, an Ohio serviceman said he survived because of the heroic act of SSG Wilson. Sergeant (SSG) Joe Mlinar said SSG Wilson cradled his head with his body to shield him when the helicopter crashed.

SSG Wilson was remembered on a memorial website by a fellow soldier. Staff Sergeant (SSG) Benjamin Dunlap of Stroud, Oklahoma, said SSG Wilson was a leader, ''I served with SSG Wilson during our tour in Iraq. He was the epiphany of the NCO corps. He was always leading by example. He could never be seen without a smile on his face. I considered him to be my friend. He was a friend to all who knew him.''

SSG Wilson graduated from Crystal Springs High School in Crystal Springs, Mississippi in 1992. Robert Green, the Crystal Springs High School athletic director, said SSG Wilson was a standout student, ''He was a nice young man, especially on the football field.'' Shortly after graduation, SSG Wilson enlisted in the U.S. Army. Maxine Adams, SSG Wilson's mother, said he always wanted to be in the military, ''He was a great son. It was important to Nate to be an accomplished person.'' Patricia Fortenberry, SSG Wilson's sister, is proud of her brother's service, ''He was a great brother. He was my best friend.''

Shortly after SSG Wilson's death, the city of Crystal Springs designated November 2nd as an official day to recognize his service to our nation. His family hosts a picnic and speakers are included at the event. It is held at the Joe Nathan Wilson Sportsplex and Memorial Fire Station in Crystal Springs which is named in his honor. Sally Garland, mayor of Crystal Springs, said the city will begin a new tradition in honor of SSG Wilson. Beginning this year, flags will be lowered to half-staff on the anniversary of his death.

SSG Wilson was buried at Brushy Creek Cemetery in Hopewell, Mississippi. SSG Wilson is survived by his mother, Maxine Adams; his wife, Erica; his daughter, Yasmin; his three nephews, Jaydan Adams, Jordan Adams, and Specialist (SPC) Jerrick Wilson; his two nieces, Kawanza Fortenberry and Latria Wilson.

SSG Wilson's bravery under fire demonstrated his devotion to his comrades and to our nation. His service will always be remembered.

TRIBUTE TO ANDY AND AMY WALSH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Andy and Amy Walsh of Waukee, Iowa for being named the 2016 Waukee Citizens of the Year.

Andy and Amy own and operate Mickey's Irish Pub in Waukee, Iowa. The establishment is known as a place for an after work getaway and a place to get a good bite to eat. But what makes the Walsh's stick out is how much they give back to the community. Several organizations, including Waukee Crime Stoppers, Waukee Police Citizens' Academy, the Raccoon River Valley Trail Bike Association and the annual BACooN Ride, have seen countless hours of their involvement outside of work. They have helped many charities and organizations through discounted and donated food and drinks from their business, and every year they host a free Thanksgiving dinner for city residents. It is because of people like Andy and Amy, and their kindness and generosity, that Iowa communities are some of the strongest in the country.

Mr. Speaker, I am honored to represent community leaders like Andy and Amy and it is with great pride that I recognize them today. I ask that my colleagues in the United States House of Representatives join me in congratulating Andy and Amy for this outstanding recognition and in wishing them nothing but continued success.

2017 WOMAN OF THE YEAR AWARD WINNER—JASWINDER SANDHU

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Jaswinder Sandhu of Sutter County, California, who has spent her career focused on improving the lives of people in her community. At a young age, she joined her farmworker parents in the fields to earn extra money during the summer. It was during those times that she realized the plight of the poor and became determined to make a difference.

Jaswinder's passion to help others has always been her priority. Having left a job in the private sector in 2003, she began her career as Site Manager for Mahal Plaza, a low income multi-family farm labor complex in Yuba City. Since then, she's been credited with securing $313,000 in grant funding to build a safe passage route for children from Mahal Plaza as they walk to school. She also implemented several community programs and services at the property, including a community garden, day care, and ESL and exercise classes. She also offers Mahal as a venue for community gatherings such as the annual National Night Out, which is one of the most largely attended community events in Yuba City.

A testament to Jaswinder's commitment to the community and her excellence in property management, she was honored as Site Manager of the Year for Farm Labor Housing for the State of California. In 2011 and 2014 Jaswinder was presented with the national award for excellence in Washington, D.C.

RECOGNIZING WELLS MIDDLE SCHOOL AS A 2017 NATIONAL SCHOOL OF CHARACTER

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Wells Middle School in Dublin, California for its designation as a 2017 National School of Character.

Wells Middle School is the only school in California to receive the 2017 National School of Character Award. The administration of Wells Middle School has worked diligently to meet the stringent standards necessary to receive this distinction. It has minimized incidences of cheating and bullying while maximizing student and parent engagement.

At Wells Middle School, character education is made a priority by the administration and teachers. The character education program focuses on bringing relevant, engaging and versatile resources directly to the students. The school makes an extensive effort to prioritize the success of its students.

One example is the Response to Intervention program. This program provides a network of instructional sessions for teachers and students, which work to address academic and behavioral concerns. This programming stresses inclusivity and adaptability as it seeks to meet the needs of all Wells Middle School students.

In addition to the National School of Character designation, Wells Middle School was named a 2017 California Gold Ribbon School by the California Department ofEducation and a 2017 California School of Character.

I am honored to have such an incredible school within my district, and as a Wells Middle School student, benefited myself from its focus on character. The continual effort of Wells Middle School to promote the success of its students both academically and behaviorally, serves as a statewide example of an ideal institution for holistic student growth. Our community is better and stronger as a result of its tireless dedication.

I want to congratulate Wells Middle School on receiving the 2017 National School of Character Award, and I wish the school and its students continued success in the years to come.

HONORING SERGEANT LARRY BUSH, U.S. MARINE CORPS

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Sergeant Larry Bush, United States Marine Corps. SGT Bush's extraordinary commitment to his country, his community of Jarrell, Texas, and his service in the Marine Corps reflects the best values of Central Texas. He is a fitting recipient of a Congressional Veteran Commendation.

SGT Bush began his career in the Marine Corps by serving in the Vietnam War in 1969. His deep commitment to serving his country can be seen through his extensive list of medals and awards, including the National Defense Service Medal, Vietnam Campaign Medal, Vietnam Service Medal, and the Rifle Expert Badge.

After leaving the Marines in 1975, SGT Bush lived his life for the betterment of Jarrell and its citizens. He served his community in the City Council for six years, the Economic Development Board for two years, and as Mayor of the City of Jarrell since 2014. His commitment to community doesn't stop with elected office. SGT Bush is a devoted member of several advisory boards including water, roads and finances, as well as the Williamson County Road Bond Program. Committed public servants like him have made Jarrell a great place to live and work.

SGT Bush deserves to be celebrated, as he is a man of intelligence, compassion, and integrity. With admiration and deep respect, I pay tribute to SGT Bush for his service to our country and the lasting impact he has had on his community and beyond.

HONORING JEFF GARNSEY, THE 2017 CLAYTON CITIZEN OF THE YEAR

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and congratulate Jeff Garnsey as he is named the 2017 Clayton Citizen of the Year.

Jeff began his long career of service to both his country and community upon entering the United States Navy in 1983. Throughout his 26-year military career, he served on seven different submarines, one of which broke the endurance record under the North Pole by spending 97 consecutive days submerged in water. He also served on the Navy's most decorated warship, the USS *Parche*, where his crew received the Presidential Unit Citation, as well as the USS *Cheyenne*, which participated in the Iraq war's first shots and strategic strike. Jeff was ultimately advanced to the Navy's highest enlisted paygrade of Master Chief Petty Officer.

Now retired from his naval career, Mr. Garnsey is the proud owner of Garnsey's Classic Island Cruises and holds several leadership positions in the Clayton community, including Board President at Save The River and Director of the Muskie Hall of Fame. Truly committed to giving back, he also volunteers at many local organizations such as the 1000 Islands Museum, the Clayton Rotary Club, the Clayton Opera House, and the Clayton Chamber of Commerce.

I would like to thank Mr. Garnsey for the sacrifices he has made in serving our country and the people of the North Country. His commitment to others is a reminder of the strength that veterans bring to our local communities and sets a wonderful example for residents of New York's 21st District.

2017 WOMAN OF THE YEAR AWARD WINNER—CATHIE WICKS

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Cathie Wicks, whose entire professional career has been spent in Yolo County, California advocating to improve the quality of life for rural children, families, and communities.

Cathie is the founder and immediate past Executive Director of RISE, Inc. (Rural Innovations in Social Economics, Inc.). Ms. Wicks has over 35 years of non-profit administrative experience, including extensive grant project development and supervision, rural program design, implementation and project based fund control experience. Cathie is also a lifetime mission-builder in innovative leadership programs for teens, with an interest in intervention models for motivated at- risk youth.

Cathie's early work history includes raising sheep, which began as a hobby. In the early 1970's, she started her career in the anti-poverty upward mobility programs focused on continuing education and diversified education. She also co-founded a non-profit to leverage grants from outside the community. Cathie served as Executive Director of RISE for the next 25 years. Her work didn't stop there, Cathie integrated her grant writing skills to assist Yocha Dehe Wintun Nation in grant writing, policy development and programs designed to enhance the community.

Cathie is the face of non-profit success in rural Western Yolo County, building programs, trends, strong organizations, and fiscal success modes that have improved the quality of life in rural communities. Cathie enjoys spending time with her children and grandchildren, still raises sheep with her son, enjoys golf and travels with friends, family and colleagues.

RECOGNIZING ''COLLEGE PRESIDENTS: PROTECT OUR STUDENTS, PASS THE DREAM ACT,'' AUTHORED BY ÁNGEL CABRERA; JOHN J. DEGIOIA, DERIONNE P. POLLARD, AND SCOTT RALLS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to include in the RECORD an Op-Ed by Ángel Cabrera, president of George Mason University, John J. DeGioia, president of Georgetown University, DeRionne P. Pollard, president of Montgomery College, and Scott Ralls, president of Northern Virginia Community College. I am proud to represent George Mason University and Northern Virginia Community College. This important and eloquent piece, titled ''College presidents: Protect our students, pass the Dream Act,'' was published in the Hill on October 16, 2017:

''One month ago, the lives of 800,000 young people around our nation were put in jeopardy, with the decision by the White House to rescind the Deferred Action for Childhood Arrivals (DACA) program. This decision fails to understand the overwhelmingly positive impact that the DACA program has had for so many students, and the devastating consequences that rescinding it will have on them, their families, our schools, our communities and our country.

We cannot set aside the invaluable contributions of these students and their passion and commitment to the work of our colleges and our country.

We cannot forget the impact of their contributions to our economy—estimated at $460 billion over the next decade.

We cannot ignore the joy they bring to our communities and the degree to which we are strengthened by their presence.

We believe, as presidents of colleges and universities, it is imperative that we protect these young people through the passage of the Dream Act. They have grown up here in America. They've gone to grade school, middle school and high school with our children. They are student body presidents, medical students and doctoral candidates. Some serve in high school ROTC and volunteer in their churches. Others help single parents raising younger siblings and tutor their peers as they prepare for college. They are members of our communities. They have done all the things we expect of our young people, and for their efforts so many have been able to earn places on our college campuses. They want—and deserve—the chance to continue learning and living in America without the constant fear of deportation.

We have seen the contributions that these extraordinary young people make to our campuses and our communities. Colleges and universities are about opportunity and the pursuit of each and every student's version of the American dream. No matter who they are—or where they came from—every student deserves an equal shot at success. We take responsibility for fostering academic and social environments that give every student the means and opportunity to pursue a better future.

Across our nation, our higher education community is coming together in support of our Dreamers. This week, the American Council on Education and colleges and universities around the country are contributing their voices to a national campaign: ''Higher Education Week'' in support of Protecting Dreamers. To launch this week, our institutions—which represent public and private as well as two- and four-year institutions in Virginia, Maryland and Washington, D.C.—have come together to reflect on the invaluable presence of these students on our campuses. Our region has approximately 23,000 DACA recipients and we know that almost half of all DACA recipients are in school or pursuing a college degree.

These young people belong here. They have played by our rules since the day they arrived as minors with their parents. They have done everything we could expect of them. They have earned their places on our campuses. They are poised to contribute to the future of our nation. We have the capacity, and responsibility, as a nation to provide a permanent bipartisan legislative solution.

We call upon Congress to pass the bipartisan DREAM Act so that these talented and hardworking students, brought here as children by parents who only wished for a better life, are able to get the shot at success and the American dream that they so rightfully deserve.''

Mr. Speaker, I agree wholeheartedly with Presidents Cabrera, DeGioia, Pollard, and Ralls. I invite my colleagues to read their thoughtful piece, and I urge them to take its message to heart.

RECOGNIZING THE LIFE AND LEGACY OF THE HONORABLE JAMES (JIM) MARTIN

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. ADERHOLT. Mr. Speaker, I received the sad news earlier this week that the Honorable James (Jim) Martin passed away from this life at the age of 99, in Gadsden, Alabama. Jim Martin was not only a former member of this body, but he was the Congressman for the district of Alabama, which I now represent.

James Martin was born in Tarrant, Alabama on September 1, 1918, the son of a railroad engineer and school teacher. Martin attended school in a log cabin. After graduating high school in 1936, he attended a business college, and then started a job as a clerk at Pan-American Petroleum in Birmingham.

In 1941, shortly before America was drawn into World War II, Martin decided to join the U.S. Army. Martin served as a captain and was part of the American effort to liberate Europe from the Nazis.

Martin and his men liberated concentration camps and saw the horrors of war firsthand. In an interview with the Library of Congress, Martin said, ''I'm not the same person I was before World War II.''

After fighting in that war, he came back to Alabama and settled in the city of Gadsden. It was in Gadsden where he met his future wife Pat Huddleston.

It was in 1962, that Martin decided to enter politics. He challenged then U.S. Senator Lister Hill, the incumbent Democrat. Martin came within 6,000 votes of upsetting Hill.

Alabama voters elected Martin to the U.S. House of Representatives in November of 1964. Martin took office as the Member of Congress from Alabama's 7th Congressional District in 1965 which was the year I was born. He served one term, from January 1965 to January 1967.

To say that Congressman Martin was a trailblazer in Alabama politics is an understatement. His election in 1964 marked a change of course in a state that had been dominated by a single party for decades.

During his time in Congress, Martin worked diligently to represent the wishes and interests of his constituents back in Alabama. He was a great leader and one of those rare individuals who could convey his conservative message in words like few others.

In 1966, Martin chose not to seek reelection to Congress, but instead decided to seek the Governorship of Alabama. While Martin did not win the election against the wife of George Wallace, Lurleen Wallace, his showing was remarkable. Martin received more support than any Republican candidate for governor since Reconstruction.

Then in the 1990s, Martin served as Alabama's Conservation and Natural Resources director under Governor Fob James. Just as Martin had been a trailblazer in politics, he did the same during his time serving in this capacity.

Martin convinced the state to purchase Cathedral Caverns in Marshall County. It has since become a state park. He also started Alabama's Forever Wild Program. Its mission

is to secure Alabama's wild and natural wonders and to save them from development.

After leaving public life, Martin remained active, engaged and involved in his community. I would regularly see Congressman Martin around the Gadsden area as he always had a lot of advice for his congressman.

Martin is survived by his wife, Pat, two sons Douglas Martin, Jr. and Richard H. Martin, and one daughter, Annette Graham Martin, along with many grandchildren and great-grandchildren.

James Martin's remarkable life and legacy will live on for many generations. It is my honor and privilege to recognize him and his accomplishments and have this statement included in the RECORD of the Congress in which he served, a tribute to his service, his love for his state and country and his faith in his creator.

CELEBRATING THE ACCOMPLISHMENTS OF STAFF SERGEANT JAMES HARRELL, U.S. MARINE CORPS

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the accomplishments of Staff Sergeant James Harrell, U.S. Marine Corps, who served his country and continues to selflessly serve his fellow veterans and his community following his retirement He is a fitting recipient of a Congressional Veteran Commendation.

SSG Harrell served six years in the United States Marine Corps, including two tours in Vietnam. During his service, SSG Harrell was a recipient of numerous awards and recognitions, including the Marine Combat Action Ribbon. After being Honorably Discharged, SSG Harrell returned to Texas where he rose to become the Assistant Chief Deputy for Williamson County's Sheriff's Department.

SSG Harrell's love for his country is matched only by his commitment to his fellow service members. After recognizing the needs of our county's less fortunate veterans, SSG Harrell joined his good friend Major Barry Richard, United States Air Force, Retired to help over twelve Williamson County veterans by rebuilding homes, bringing them up to code, doing repairs, and more for over five years. Together, they've made real and lasting impacts on the lives of their fellow veterans.

SSG Harrell serves his fellow men with the same dedication, honor, and humility with which he defended his country. He exemplifies what it means to be an American, consistently placing his country and fellow men before himself. I thank and commend SSG Harrell, a passionate leader with a servant's heart, for his dedication and service.

2017 WOMAN OF THE YEAR AWARD WINNER—K. PATRICE WILLIAMS

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize K. Patrice Williams, who has dedicated her twenty-year career to strengthening small business in Solano County, California, and her advocacy illustrates her talents as a true public servant. She is currently the principal advocate for BrandGov; an agency offering targeted outreach, messaging, social media marketing and more to small businesses, non-profit organizations and government entities in the Solano area.

K. Patrice's experience as an activist has given her a deep understanding of economic and workforce development, infrastructure, energy and transportation challenges and a business approach understanding of proposed solutions. Working in partnership with public and private organizations, Solano College Small Business Development Center, Solano College Workforce Development Center and Solano College has allowed her to develop a strategic plan to diversify and maximize Solano County's local economy utilizing stakeholders as a resource.

K. Patrice's professional experience includes Chief Brand Strategist for Brand Gov.; she was an Adjunct Professor at Napa Valley College; Director of Marketing for WH Holdings LLC, Manager for DoubleClick, and Team Leader-Business Development for IBM. She holds a Juris Doctorate, Business Concentration from San Francisco Law School and a Bachelor of Arts, Economics, Marketing Concentration from Sonoma State University.

HONORING THE LIFE OF JEREMIAH GRANT

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. PAYNE. Mr. Speaker, I ask that my colleagues join me to honor the life of Jeremiah Grant, an eight-year-old boy from my district who lost his life on October 28, 2017.

Jerry was a student at the Ollie Culbreth Junior School in Jersey City, New Jersey. He excelled in academics and in the world of competitive jump rope. At only eight years old, Jerry was the youngest member of the Jersey City Honey Bees double dutch team. Earlier this year, the Honey Bees earned the title "world champions" at the American Double Dutch League's 44th International Competition.

"Jerry Prince Bee", as his friends called him, was all smiles during his double-dutch performance on The Tonight Show in August. That smile and his legacy of love will live on in North Jersey.

TRIBUTE TO BOB KALDENBERG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bob Kaldenberg of Winterset, Iowa for being named the Rotarian of the Year by the Winterset Rotary Club.

Bob has been a member of Rotary for 29 years. He worked hard to increase club membership in the early 1990's and many current members are active in the club and community because of his encouragement. He has been instrumental in the success of the Rotary youth exchange and has served as president twice.

Mr. Speaker, I'm proud to represent community leaders like Bob in the United States Congress and it is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating Bob for this outstanding achievement and in wishing him nothing but the best.

IN RECOGNITION OF THE 70TH ANNIVERSARY OF THE NEW JERSEY BROADCASTERS ASSOCIATION

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. PALLONE. Mr. Speaker, I rise today to honor the New Jersey Broadcasters Association (NJBA) as its members gather to celebrate its 70th anniversary this year. This milestone and the NJBA's efforts to support radio and television stations in New Jersey are truly deserving of this body's recognition.

Since its inception, the NJBA has represented the common interests of New Jersey's broadcasters. It continues to be the leading voice in Trenton, New Jersey and Washington, D.C. on broadcast issues and priorities and is an effective advocate on behalf of its member stations. In addition to its advocacy, the NJBA's training and educational programs are invaluable resources to radio and television stations and its understanding of compliance rules and procedures help its members navigate the changing broadcast landscape.

Initiated by New Jersey radio stations, the NJBA's success is evident in its growth to include both radio and television stations throughout the state as well as several stations in New York City and Philadelphia. Its current President and CEO, Paul Rotella, maintains the NJBA's mission, while also adapting to meet the complex changes of technology in the broadcast field.

Mr. Speaker, I sincerely hope that my colleagues will join me in marking the 70th anniversary of the New Jersey Broadcasters Association and recognizing its outstanding efforts to promote New Jersey's local broadcast stations.

RECOGNIZING THE 100TH ANNIVERSARY OF THE NAVY PIER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to recognize the 100th anniversary of the Navy Pier and commemorate the beginning of the Pier's second century as a public community resource and treasured Chicago landmark. After 100 years of significant impact, Navy Pier has been reimagined and adopted the new mission: Navy Pier is the

People's Pier, Chicago's lakefront treasure, welcoming all and offering dynamic and eclectic experiences through partnerships and programs that inspire discovery and wonder; Navy Pier opened to the public in 1916 and originally named ''Municipal Pier No. 2; Navy Pier was built under nationally-known architect Charles Sumner Frost, based on Daniel Burham's ''Master Plan of Chicago.'' Municipal Pier was the first of its kind to accommodate both the commercial shipping industry and recreation and entertainment for the public drawing over 3 million visitors annually.

In 1917 it was adapted to house several regiments of soldiers, Red Cross, and ''Home Defense'' units and served as a barracks during World War I. It was officially renamed Navy Pier in 1927 as a tribute to the Navy personnel who were housed at the Pier during the conflict. From 1941 to 1947, the Pier was leased to the U.S. Navy as a naval training center for 60,000 recruits. One of those pilots who qualified for military service was President George H. W. Bush.

Navy Pier was the original home to the University of Illinois at Chicago from 1946 to 1965, and more than 100,000 students attended classes during that time. Dubbed 'Harvard on the Rocks,' the University shared the space with the Chicago Police Department's Traffic Division, the North Pier Terminal Company, and several military detachments. The Pier was designated a Chicago historic landmark in 1977; between the years of 1978 through 1982, Navy Pier was host to ChicagoFest, a summer music festival full of food, fun, and festivities. ChicagoFest eventually grew to become the Taste of Chicago, drawing millions of guests to the Pier and spurring millions of dollars in economic impact.

The Pier re-opened in 1995 following a $150 million redevelopment having improvements made to nearly every aspect of the three-quarter mile long public Pier. Since that renovation, year-round entertainment, shopping, dining, attractions and exhibitions have positioned the Pier as one of the most unique settings in the world; in July of 2011, Navy Pier, Inc., the newly formed nonprofit entity entrusted with the operation and redevelopment of Navy Pier put forth The Centennial Vision, a framework for reimagining Navy Pier as a unique public space and cultural mecca. The Centennial Vision's purpose is not only to expand the Pier's audience, but to enrich the experience of its guests. The Vision, divided into two phases, establishes a framework befitting Chicago, a world-class city, with a vibrant architectural, cultural, and recreational landscape and includes a 30-year Sustainable Master Plan to address the Pier's long-term environmental impact.

With the completion of the Centennial Vision's ''Phase 1'' in 2016, a record 9.26 million guests enjoyed new amenities such as the state of the art Centennial Ferris Wheel, Chicago-centric food experience, redesigned south dock promenade with increased access to the waterfront and recreational boat experiences, and over 245 free public arts and cultural programs.

As the Pier now enters ''Phase 2'' of the redevelopment with extensive plans to upgrade the built environment and Pier structures such as the Family Pavilion and Crystal Garden. In 2017, with the completion of 13-acre Polk Bros Park, the new Chicago Shakespeare Theater and expanded Chicago, Children's Museum, the Pier projects to see attendance increase by as much as 26 percent as guests enjoy innovative, free public programming, participatory arts, cultural showcases, and the Pier's sustainable, recreational footprint; and the Pier currently employees over 3,000 individuals, is home to 77 businesses and 5 nonprofit organizations. The redevelopment is expected to generate 1,565 permanent and 1,659 temporary jobs across the city.

I am honored to represent Navy Pier and congratulate Marilynn Gardner, President & CEO; Patrick Sheehan, Chief Development and Strategy Officer, the Board of Directors and the multitude of individuals working that make the Pier a fascinating and enjoyable destination. Enjoy this landmark celebration and always remember, ''To accomplish great things we must not only act, but also dream; not only plan, but also believe.''

HONORING MAJOR BARRY RICHARD, UNITED STATES AIR FORCE, (RETIRED)

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Major Barry Richard, United States Air Force, Retired. Maj. Richard, who answered the call to defend our great nation for 20 years, continues to dutifully serve his community of Georgetown, Texas in civilian life. An exemplary serviceman and citizen, it is my honor to award Maj. Richard with the Congressional Veteran Commendation.

His military service began in 1968 where his skills were utilized in various capacities as an engineer, pilot, and manager. He wore many hats during his years with the Air Force, including working as a technical design engineer for modifications to EC–135 aircraft and Hound Dog Air-launched missiles, as pilot and rated staff officer, and as Chief of numerous Air Force Safety Units. Maj. Richard saw much combat, and as a testament to the quality of his service, he received numerous awards including the Air Force Distinguished Flying Cross, Air Medal, Meritorious Service Medal, and numerous Commendation Medals.

Maj. Richard's love of country is matched only by his commitment to his fellow service members. After the end of his service in 1988, he and his friend Staff Sergeant Jim Harrell, United States Marines Corps, have worked to improve the lives of veterans in Williamson County. Maj. Richard has contributed to building wheelchair ramps and making considerable home improvements to the homes of local veterans in need. This dignified work has made a lasting impact on the community he proudly serves.

I commend Maj. Barry Richard's selfless service to the United States Air Force, his nation, and his community. His patriotism, citizenship, and commitment to excellence reflect the very best values of Central Texas. I join his friends and family in celebrating his outstanding achievements.

HONORING PATRICIA DONNELLY AND THE AWARDEES OF THE 2017 LITERACY COUNCIL OF NORTHERN VIRGINIA RECOGNITION EVENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Literacy Council of Northern Virginia (LCNV) and to congratulate the volunteers, instructors, students, community partners, and others who will be recognized at the 2017 LCNV Recognition Celebration.

The mission of LCNV is to teach adults the basic skills of reading, writing, speaking, and understanding English in order to empower them to participate more fully and confidently in their communities. LCNV serves low-literacy and limited English language proficient adults with a selection of low-cost, moderately intensive courses to help them transition into the workforce or other educational opportunities. LCNV provides the crucial first steps of language and literacy learning for workplace, citizenship, and community integration to help adults make measurable improvements in their lives.

Each year LCNV gathers at its Annandale headquarters to recognize students and members of the community who have achieved exceptional milestones. I am proud to include in the RECORD the following 2017 LCNV honorees.

Community Partnership Awards: Accenture Consulting, Crestwood Elementary School, Paul M. Engell Family Foundation.

Volunteers of the Year: Liz Castillo, Alexandra Roncal, Valerie Sutter.

I would also like to give special recognition to Patricia Donnelly, who is retiring from her role as Executive Director of LCNV after leading the organization for more than 15 years. She has three decades of experience in the nonprofit sector, most of which has been in education and the performing arts. In addition to her role as Executive Director of LCNV, Patti serves on the Board of the Virginia Literacy Foundation, the Virginia Adult and Continuing Education Board and WETA's Community Advisory Council. Her selfless efforts on behalf of others were recognized when she received the 2007 Nancy Jiranek Award for Leadership Excellence in Literacy. Though she may be retiring from her role as Executive Director, I am confident that she will continue to be engaged in our community and in the causes that are dear to her.

Mr. Speaker, I ask my colleagues to join me in thanking Patricia Donnelly for her service to our community and in congratulating each of the honorees of the 2017 LCNV Recognition Celebration. I wish all of them great success in all their future endeavors.

HONORING ST. MATTHEW ORIGINAL FREE WILL BAPTIST CHURCH

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. JONES. Mr. Speaker, I rise today to honor St. Matthew Original Free Will Baptist

Church in my hometown of Farmville, North Carolina. This congregation recently celebrated 61 years of serving our Lord and Savior, Jesus Christ. The passion and commitment from this church has helped to spread the Word and Humility of Christ throughout the town of Farmville and surrounding communities for many years.

The ministry and community outreach performed by the people of St. Matthew have helped meet the needs of so many. I am proud and honored to call these people my neighbors.

I want to thank the church family of St. Matthew and Pastor Jesse F. Warren III as they continue to improve the quality of life for so many people and commend them on this milestone in their ministry. I pray that they will be blessed with many more years of service to our Lord and Savior, Jesus Christ.

As it is written in the book of Hebrews 6:10, "God is not unjust, He will not forget your work and the love you have shown Him as you helped His people and continue to help them."

Congratulations on your 61 years of service.

TRIBUTE TO THE 2017 WINTERSET HIGH SCHOOL SOFTBALL TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Winterset High School Softball team for winning the Iowa Girls State Class 4A Softball Tournament on July 21, 2017.

I would like to congratulate each member of the Team:

Players: Macy Johnson, Ainsley Gurwell, Mia Olson, Danny Barker, Ava Lowden, Abby Benshoof, Natalie Hansen, Malia Messerschmidt, Grace McDonald, Natalie Drake, Corry Pickering, Madison Berns, Mariah White, Jessie Nicholson, Ally Pickering, Taylor Lincoln, Jennifer Lopez, Emma Lowden, Marlie McDonald, Sophie Stover

Head Coach: Steve Corkrean

Assistant Coaches: Jennifer Devine, Karly Olson, Taylor Benshoof

Mr. Speaker, the example set by these students and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating these young women for competing in this rigorous competition and in wishing them all nothing but continued success.

CELEBRATING THE SERVICE AND ACHIEVEMENTS OF COLONEL RAUL VILLARONGA, U.S. ARMY (RETIRED)

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the service and achievements of an esteemed and valued citizen of Killeen, Texas. Colonel Raul Villaronga, U.S. Army Retired, has dedicated himself to serving his community and is an embodiment of the Army values of honor, loyalty, and selfless service. He is a deserving recipient of a Congressional Veteran Commendation.

His commission as an Infantry 2nd Lieutenant in 1959 began his 24 years of service in which he completed assignments in Fort Bragg, the Panama Canal Zone, Vietnam, Germany, and Fort Hood. While assigned to the 8th Special Forces Group, he participated in numerous classified Mobile Training Teams in Central and South America. COL Villaronga deservingly received awards including the Silver Star, the Legion of Merit, the Bronze Star, and the Meritorious Service Medal as a testament to his exemplary service.

COL Villaronga is a respected citizen serving in numerous roles showcasing his commitment to community and nation. Returning from the Army, COL Villaronga served three terms as Mayor of Killeen. As Mayor, he founded the Killeen Youth Advisory Commission and worked on the Joint Use Agreement for the Robert Gray Army Airfield. As Chairman of the Killeen League of United Latin American Citizens Council 4535 Foundation, COL Villaronga has been responsible for the donation of over $175,000 in scholarships for local graduating seniors. He continues to serve veterans in his community alongside his wife. His tireless efforts have made Central Texas a place that we're proud to call home.

COL Villaronga's patriotism and commitment to service reflect the very best values of Central Texas. He is a hero who has devoted his life to defending our freedoms abroad and serving his community at home. I join his wife, Julia, along with his family and friends in wishing him the best in the years ahead.

RECOGNIZING NATIONAL OBESITY CARE WEEK

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. SHIMKUS. Mr. Speaker, I rise in recognition of National Obesity Care Week on behalf of the over 90 million adult Americans living with obesity today.

Treating obesity is more than just eating right and exercising and is caused by a number of factors that are often out of that person's control. These include genetics, socioeconomic status, and physiological, psychological and environmental factors.

As important, obesity is also linked to over 50 disorders including Type 2 diabetes, hypertension, and cardiovascular disease. In fact, over $1.42 trillion is spent in the U.S. on direct and indirect costs for health related conditions related to obesity a year.

National Obesity Care Week aims to advance an evidence-based understanding of obesity and widespread access to comprehensive and appropriate care. Unfortunately, at 31.6 percent, Illinois has the 18th highest adult obesity rate in the nation—4 million people—almost a third of our population. This must change. I urge my fellow Members, the scientific community, and researchers, to treat obesity seriously—as the chronic disease that it is—and I urge the medical community to have conversations with their patients, their students, and their colleagues about obesity and how we can effectively treat this disease.

TRIBUTE TO CAROL WOOD

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Carol Wood of Council Bluffs, Iowa for receiving the Rotary International Vocational Service Leadership Award. The award was presented to Carol at the Rotary District Conference in Omaha, Nebraska. Carol has been a Rotary member since 1993 and is a member of the Noon Rotary Club of Council Bluffs, Iowa.

Carol received this award for exemplifying integrity and high ethical standards in her vocation and in the community. She is President and CEO of Children's Square U.S.A. in Council Bluffs, a non-profit organization that has helped children and families in need for 135 years. Carol's dedication and leadership has helped youth succeed in their vocational pursuits.

Mr. Speaker, I am honored to represent community leaders like Carol in the United States Congress and it is with great pride that I recognize her today. I ask that my colleagues in the United States House of Representatives join me in congratulating Carol for this outstanding recognition and in wishing her nothing but continued success.

CELEBRATING THE 100TH BIRTHDAY OF MRS. THELMA KOUZES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to join my constituents in celebrating the 100th birthday of Mrs. Thelma Kouzes, a truly remarkable woman and a beloved member of the Northern Virginia community. Mrs. Kouzes was born Thelma Virginia Loss on July 26, 1917 in Audubon, Iowa. She proudly says she is a first-generation American, the daughter of immigrants whose parents came to the United States from Denmark. She grew up in Iowa, was raised by hardworking parents, and experienced the hardships of the Great Depression. She moved to Washington, D.C. in 1938 to work for President Roosevelt's Administration. There she met her late husband Thomas Kouzes—also a first-generation American whose parents came to the U.S. from Greece.

Mrs. Kouzes has led an amazing life. Shortly after she moved to D.C., she experienced culture shock when she attended a segregated religious service. Because of experiences like this she became a proud and passionate civil rights activist. She remained steadfast in her commitment to justice and equality—including marching alongside Dr. Martin Luther King, Jr.; in the March on Washington for Jobs and Freedom in 1963—even when others in her community criticized her efforts. She was an active member of the

American Field Service, UNICEF, the UN, the American Cancer Society, and American Mothers. She is proud to say that she helped to save the public schools in Virginia during the period of desegregation, along with hundreds of Northern Virginian mothers.

She and her late husband hosted 174 international students from 34 different countries between 1960 and 2004. She also placed more than 400 international students with American families. After her husband died, she continued her devotion to hosting international students.

Mrs. Kouzes was elected the 53rd National Mother by the American Mothers organization, chosen by a jury composed of representatives from local government as well as religious and educational leaders.

These are just a few examples of the many accomplishments of her life.

Mrs. Kouzes has been part of our great American story, lending her voice to the vibrancy of our community and offering her experience and wisdom to those around her. Mr. Speaker, I ask my colleagues to join me in thanking Mrs. Kouzes for her decades of contribution to the Northern Virginia area, and in wishing her a happy and healthy 100th birthday.

CELEBRATING THE 175TH ANNIVERSARY OF ST. PETER'S EVANGELICAL CHURCH

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. DENT. Mr. Speaker, I consider it a great privilege to recognize St. Peter's Evangelical Lutheran Church—located in Allentown, Pennsylvania—on the occasion of its 175th anniversary.

In 1842, St. Peter's Union Congregation organized and purchased a tract of land for a physical building and cemetery in what was formerly known as Rittersville. On November 5th, the Lutheran sect of the congregation began conducting services in the new building; however, both the Lutheran and Reformed congregations shared the meeting space, holding alternating services. The surrounding area was mostly comprised of German and Dutch immigrants, many of whom worked at nearby Bethlehem Steel Mill. The United States offered them a chance of a new life, and St. Peter's served as a focal point for a community of shared faith and family ethics.

Until 1897, the services were primarily conducted in German, but soon after, the Church purchased an English pulpit Bible. That same year, electric lights were installed, indicating an embrace of modernity as the Church entered the new century.

On June 29, 1913, St. Peter's Evangelical Lutheran Church placed the cornerstone for the current church at 1933 Hanover Avenue in Allentown. The first service was held on November 2nd.

As St. Peter's Evangelical Lutheran Church celebrates its 175th anniversary as a congregation and its 104th anniversary in its current building, the Church continues to serve the east side of Allentown and its ever changing neighborhood. May the next 175 years bring continued congregational growth, community impact, and diligent ministry.

TRIBUTE TO COLLIN NELSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Collin Nelson of West Des Moines, Iowa for being named the West Des Moines Chamber's Emerging Citizen of the Year for 2017.

The West Des Moines Chamber every year recognizes an Emerging Citizen of the Year, a community member under the age of 30 who ''demonstrates an unparalleled dedication to service and general betterment of the community.'' Collin works in the real estate business, and has been active in numerous metro area organizations that aim to better the community. These organizations include the West Des Moines Accelerate Advisory Committee, Downtown Des Moines Chamber of Commerce, Emerging Leaders Collaborative, the Iowa Commercial Real Estate Association, the Iowa Corporate Games, and the Multiple Sclerosis Society.

Mr. Speaker, I'm proud to represent community leaders like Collin in the United States Congress and it is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating Collin for this outstanding achievement and in wishing him nothing but continued success.

IN HONOR OF MR. BRADY KEYS, JR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I pay tribute to a respected athlete, an ambitious franchiser, and a friend of longstanding, Mr. Brady Keys, Jr. Mr. Keys passed away on Tuesday, October 24, 2017. A memorial service will be held on Saturday, November 4, 2017 at 1:30 p.m. at Rejoice in the Lord Ministries in Apopka, FL and will be followed by a funeral service and burial on Thursday, November 9, 2017 at 2:00 p.m. at Inglewood Park Cemetery Chapel in Inglewood, CA.

Brady Keys, Jr. was born on May 19, 1937 in Austin, Texas. He attended Kealing High School in Austin, before moving to California, to attend Polytechnic High School.

After graduating high school, he enrolled at East Los Angeles Junior College, where he played semi-pro football and gained the attention of Fido Murphy, a scout for the Pittsburgh Steelers. Murphy offered Keys a position on the Steelers taxi squad, which he declined. Murphy then offered Keys an education at Colorado State University with the hope that he could be legally drafted as a free agent. During his junior year, he was ultimately drafted by the Pittsburgh Steelers and played with them for six years. He played as a defensive back for a total of eight seasons with the National Football League, also playing for the Minnesota Vikings and St. Louis Cardinals.

Brady Keys, Jr. was not only a natural athlete, but he was also a very successful entrepreneur, owning numerous enterprises and franchises. After leaving the NFL, Brady was determined to start his own restaurant franchise but was denied business loans as bankers were reluctant to lend to businesses with African-American management. However, he did not let that stop him. In 1967, with the financial help of Art Rooney, then Coach of the Steelers, he opened his first All-Pro Chicken restaurant in Detroit, Michigan. As All-Pro Chicken expanded, Mr. Keys became the first African-American to establish a national franchise.

After the opening of his first All-Pro Chicken restaurant, Mr. Keys' business empire expanded beyond his All-Pro restaurants. His businesses included several Kentucky Fried Chicken restaurants in Albany, Georgia; the Urban Talent Development Corporation; The Keys Group; Pennky Mining and Oil Company; Brady Keys, Jr. Athletic Foundation, Inc.; Keys Communications Group, Inc., (formed upon purchase of WJIZ 96.3 FM and WJYZ 960 AM radio stations in Albany, Georgia); Alpha-Keys Orlando Retail Associates; Keys Technology Group, Inc.; Keys News and Gift Shop; Keys-Watt Productions, Inc.; and Keys and Sons Jewelers. Brady was truly an asset to the Albany, Georgia, Orlando, Georgia, and Detroit, Michigan communities, and his companies contributed over $40 million to the economies of those states.

A prominent sports figure and successful business owner, Brady Keys, Jr. received several awards and appointments including an appointment to the Advisory Council on Minority Business Enterprise by President Nixon; an award for Outstanding African-American Albanian of the Year; and several rankings on Black Entertainment Magazine's list of 100 largest minority owned businesses between the years of 1972 to 1979.

Dr. Martin Luther King, Jr. once said, ''Life's most urgent question is: What are you doing for others?'' Brady Keys, Jr. committed a prodigious amount of time and love to the service of others, and he shared his own enthusiasm and wisdom in order to better those around him. In life and in death, Brady has left a lasting impact on all those whose lives he has touched.

Brady Keys, Jr. leaves behind his wife of many years, Anna, and a large loving family and a host friends who will miss him dearly.

Mr. Speaker, my wife Vivian and I, along with the more than 730,000 residents of the Second Congressional District of Georgia, salute Brady Keys, Jr. for his outstanding entrepreneurism, untiring commitment to minority business ownership, and community development in the urban communities where he lived. I ask my colleagues to join all of us in extending our deepest condolences to the Keys family during this difficult time. We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks, and months ahead.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6975–S7004

Measures Introduced: Sixteen bills and two resolutions were introduced, as follows: S. 2059–2074, S. Res. 321, and S. Con. Res. 29. **Page S7001**

Measures Reported:

S. 807, to provide anti-retaliation protections for antitrust whistleblowers. **Page S7002**

Engel Nomination—Cloture: Senate began consideration of the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General, Department of Justice. **Page S6995**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, November 2, 2017, a vote on cloture will occur at 5:30 p.m. on Monday, November 6, 2017. **Page S6995**

Prior to the consideration of this nomination, Senate took the following action: **Page S6995**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S6995**

A unanimous-consent agreement was reached providing that at approximately 3 p.m. on Monday, November 6, 2017, Senate resume consideration of the nomination. **Page S6995**

Robb Nomination—Cloture: Senate began consideration of the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board. **Page S6995**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General, Department of Justice. **Page S6995**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S6995**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S6995**

Wehrum Nomination—Cloture: Senate began consideration of the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency. **Page S6995**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board. **Page S6995**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S6995**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S6996**

Kan Nomination—Cloture: Senate began consideration of the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy. **Page S6996**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency. **Page S6996**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S6996**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S6996**

Nominations—Agreement: A unanimous-consent agreement was reached providing that notwithstanding Rule XXII, the pending cloture motions ripen at 5:30 p.m. on Monday, November 6, 2017; and that at 11 a.m. on Tuesday, November 7, 2017, Senate proceed to the consideration of the nomination of John H. Gibson II, of Texas, to be Deputy

Chief Management Officer of the Department of Defense, as under the previous order of Thursday, October 26, 2017. **Page S6996**

Nominations Confirmed: Senate confirmed the following nominations:

By 56 yeas to 41 nays (Vote No. EX. 259), Allison H. Eid, of Colorado, to be United States Circuit Judge for the Tenth Circuit. **Pages S6976–82, S7004**

By 53 yeas to 43 nays (Vote No. EX. 261), Stephanos Bibas, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. **Pages S6982–89, S7004**

During consideration of this nomination today, Senate also took the following action:

By 54 yeas to 43 nays (Vote No. 260), Senate agreed to the motion to close further debate on the nomination. **Page S6982**

Kyle Fortson, of the District of Columbia, to be a Member of the National Mediation Board for a term expiring July 1, 2019.

Gerald W. Fauth, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2020.

Paul Dabbar, of New York, to be Under Secretary for Science, Department of Energy.

Mark Wesley Menezes, of Virginia, to be Under Secretary of Energy.

Peter Henry Barlerin, of Colorado, to be Ambassador to the Republic of Cameroon.

Kathleen M. Fitzpatrick, of the District of Columbia, to be Ambassador to the Democratic Republic of Timor-Leste.

Michael James Dodman, of New York, to be Ambassador to the Islamic Republic of Mauritania.

Michele Jeanne Sison, of Maryland, to be Ambassador to the Republic of Haiti.

Richard Glick, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2022.

Kevin J. McIntyre, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2018.

Kevin J. McIntyre, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2023.

Jamie McCourt, of California, to be Ambassador to the French Republic, and to serve concurrently and without additional compensation as Ambassador to the Principality of Monaco.

Richard Duke Buchan III, of Florida, to be Ambassador to the Kingdom of Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra.

Steven E. Winberg, of Pennsylvania, to be an Assistant Secretary of Energy (Fossil Energy).

Larry Edward Andre, Jr., of Texas, to be Ambassador to the Republic of Djibouti.

Thomas L. Carter, of South Carolina, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Council of the International Civil Aviation Organization.

Michael T. Evanoff, of Arkansas, to be an Assistant Secretary of State (Diplomatic Security).

Nina Maria Fite, of Pennsylvania, to be Ambassador to the Republic of Angola.

Daniel L. Foote, of New York, to be Ambassador to the Republic of Zambia.

Kenneth Ian Juster, of New York, to be Ambassador to the Republic of India.

W. Robert Kohorst, of California, to be Ambassador to the Republic of Croatia.

Edward T. McMullen, Jr., of South Carolina, to be Ambassador to the Swiss Confederation, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein.

David Dale Reimer, of Ohio, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles.

Eric P. Whitaker, of Illinois, to be Ambassador to the Republic of Niger.

Carla Sands, of California, to be Ambassador to the Kingdom of Denmark.

Manisha Singh, of Florida, to be an Assistant Secretary of State (Economic and Business Affairs).

Linda A. Puchala, of Maryland, to be a Member of the National Mediation Board for a term expiring July 1, 2018. **Pages S6994–95, S7004**

Nominations Received: Senate received the following nominations:

Jerome H. Powell, of Maryland, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

Jeffrey Kessler, of Virginia, to be an Assistant Secretary of Commerce.

Robin S. Bernstein, of Florida, to be Ambassador to the Dominican Republic.

Christopher Ashley Ford, of Maryland, to be an Assistant Secretary of State (International Security and Non-Proliferation).

John C. Anderson, of New Mexico, to be United States Attorney for the District of New Mexico for the term of four years.

Joseph D. Brown, of Texas, to be United States Attorney for the Eastern District of Texas for the term of four years.

John H. Durham, of Connecticut, to be United States Attorney for the District of Connecticut for the term of four years.

Brandon J. Fremin, of Louisiana, to be United States Attorney for the Middle District of Louisiana for the term of four years.

Robert K. Hur, of Maryland, to be United States Attorney for the District of Maryland for the term of four years.

Ryan K. Patrick, of Texas, to be United States Attorney for the Southern District of Texas for the term of four years.

McGregor W. Scott, of California, to be United States Attorney for the Eastern District of California for the term of four years. **Page S7004**

Messages from the House: **Pages S6999–S7000**

Measures Referred: **Page S7000**

Executive Communications: **Page S7000**

Executive Reports of Committees: **Pages S7000–01**

Additional Cosponsors: **Pages S7001–02**

Statements on Introduced Bills/Resolutions: **Pages S7002–03**

Additional Statements: **Page S6999**

Authorities for Committees to Meet: **Pages S7003–04**

Record Votes: Three record votes were taken today. (Total—261) **Pages S6982, S6989**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 4:35 p.m., until 3 p.m. on Monday, November 6, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7004.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Mark T. Esper, of Virginia, to be Secretary of the Army, Robert L. Wilkie, of North Carolina, to be Under Secretary for Personnel and Readiness, who was introduced by Senator Tillis, Joseph Kernan, of Florida, to be Under Secretary for Intelligence, and Guy B. Roberts, of Virginia, to be an Assistant Secretary, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

ARCTIC NATIONAL WILDLIFE REFUGE

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the potential for oil and gas exploration and development in the non-wilderness portion of the Arctic National Wildlife Refuge, known as the ''1002 Area'' or Coastal Plain, to raise sufficient revenue pursuant to the Senate reconciliation instructions included in H. Con Res. 71, after receiving testimony from Senator Sullivan; Representative Don Young; Alaska Governor Bill Walker, and Alaska Lieutenant Governor Byron Mallott, both of Juneau; Greg Sheehan, Principal Deputy Director, Fish and Wildlife Service, and Pat Pourchot, former Special Assistant to the Secretary for Alaska Affairs, both of the Department of the Interior; Sam Alexander, Gwich'in Nation, and Aaron Schutt, Doyon, Limited, both of Fairbanks, Alaska; Matthew Rexford, Native Village of Kaktovik, Kaktovik, Alaska; Lois N. Epstein, The Wilderness Society, and Richard K. Glenn, Arctic Slope Regional Corporation, both of Anchorage, Alaska; and Matthew Cronin, Bozeman, Montana.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 807, to provide anti-retaliation protections for antitrust whistleblowers; and

The nominations of Matthew G. T. Martin, to be United States Attorney for the Middle District of North Carolina, and Christina E. Nolan, to be United States Attorney for the District of Vermont, both of the Department of Justice.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 1, 4219–4235; and 2 resolutions, H. Res. 603, 604 were introduced. **Pages H8443–44**

Additional Cosponsors: **Pages H8444–45**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Mimi Walters (CA) to act as Speaker pro tempore for today. **Page H8389**

Recess: The House recessed at 10:32 a.m. and reconvened at 12 noon. **Page H8392**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Pastor Kenneth Codner, Grace Baptist Church, Bellefonte, PA. **Page H8392**

Providing for a correction in the enrollment of S. 782: The House agreed to take from the Speaker's table and agree to S. Con. Res. 28, providing for a correction in the enrollment of S. 782. **Page H8393**

Recess: The House recessed at 1:56 p.m. and reconvened at 2:55 p.m. **Page H8410**

Community Health And Medical Professionals Improve Our Nation Act of 2017—Rule for consideration: The House agreed to H. Res. 601, providing for consideration of the bill (H.R. 3922) to extend funding for certain public health programs, by a yea-and-nay vote of 231 yeas to 192 nays, Roll No. 603, after the previous question was ordered by a yea-and-nay vote of 230 yeas to 191 nays, Roll No. 602. **Pages H8402–10, H8412, H8413**

Moment of Silence: The House observed a moment of silence in memory of the victims of the terrorist attack in New York. **Page H8412**

Recess: The House recessed at 3:40 p.m. and reconvened at 3:43 p.m. **Page H8413**

Official Photograph of the House in Session: The official photograph of the House in session was taken pursuant to the provisions of H. Res. 350. **Page H8413**

Protecting Seniors Access to Medicare Act: The House passed H.R. 849, to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board, by a yea-and-nay vote of 307 yeas to 111 nays, Roll No. 604. **Pages H8413–21**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. **Page H8413**

H. Res. 600, the rule providing for consideration of the bill (H.R. 849) was agreed to by a yea-and-nay vote of 240 yeas to 178 nays, Roll No. 601, after the previous question was ordered by a yea-and-nay vote of 230 yeas to 193 nays, Roll No. 600. **Pages H8395–H8402, H8411–12**

Protecting Patient Access to Emergency Medications Act of 2017: The House agreed to take from the Speaker's table and concur in the Senate amendment to H.R. 304, to amend the Controlled Substances Act with regard to the provision of emergency medical services. **Pages H8421–22**

Board of Visitors to the United States Naval Academy—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Board of Visitors to the United States Naval Academy: Representative Gallagher, to fill the existing vacancy thereon; Representatives Cummings and Ruppersberger. **Page H8422**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages H8411, H8411–12, H8412, H8413, and H8420–21. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:12 p.m.

Committee Meetings

THE 2017 HURRICANE SEASON: A REVIEW OF EMERGENCY RESPONSE AND ENERGY INFRASTRUCTURE RECOVERY EFFORTS

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled "The 2017 Hurricane Season: A Review of Emergency Response and Energy Infrastructure Recovery Efforts". Testimony was heard from Ray Alexander, Director of Contingency Operations, U.S. Army Corps of Engineers; Robert Corbin, Deputy Assistant Secretary, Office of Petroleum Reserves, Department of Energy; Patricia Hoffman, Acting Under Secretary for Science and Energy, and Principal Deputy Assistant Secretary, Office of Electricity Delivery and Energy Reliability, Department of Energy; Julio Rhymer, Executive Director, Virgin Islands Water and Power Authority; Frank Rusco, Director, Natural Resources and Environment, Government Accountability Office; DeAnn Walker, Chairman, Public Utility Commission of Texas; and public witnesses.

CONCERNS OVER FEDERAL SELECT AGENT PROGRAM OVERSIGHT OF DANGEROUS PATHOGENS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Concerns Over Federal Select Agent Program Oversight of Dangerous Pathogens". Testimony was heard from Mary Denigan-Macauley, Acting Director, Health Care, Government Accountability Office; Samuel S. Edwin, Director, Division of Select Agents and Toxins, Centers for Disease Control and Prevention; and Freeda E. Isaac, Director, Agriculture Select Agent Services, Animal and Plant Health Inspection Service.

SUSTAINABLE HOUSING FINANCE: PRIVATE SECTOR PERSPECTIVES ON HOUSING FINANCE REFORM, PART II

Committee on Financial Services: Subcommittee on Housing and Insurance held a hearing entitled ''Sustainable Housing Finance: Private Sector Perspectives on Housing Finance Reform, Part II''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 3249, the ''Project Safe Neighborhoods Grant Program Authorization Act of 2017''; H.R. 1730, the ''Combating Anti-Semitism Act of 2017''; H.R. 3317, the ''Stopping Abusive Female Exploitation Act''; and H.R. 4203, the ''Combat Online Predators Act''. H.R. 3249, H.R. 1730, and H.R. 4203 were ordered reported, as amended. H.R. 3317 was ordered reported, without amendment.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water, Power and Oceans held a hearing on H.R. 221, the ''Hydrographic Services Improvement Amendments Act''; H.R. 1176, the ''Keep America's Waterfronts Working Act''; and S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund. Testimony was heard from Representatives Pingree and Young of Alaska; W. Russell Callender, Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration; Paul LePage, Governor, Maine; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on H.R. 4174, the ''Foundations for Evidence-Based Policymaking Act of 2017''; H.R. 4182, the ''Ensuring a Qualified Civil Service Act of 2017''; H.R. 1132, the ''Political Appointee Burrowing Prevention Act''; H.R. 4043, the ''Whistleblower Protection Extension Act of 2017''; H.R. 4171, to amend title 5, United States Code, to extend the authority to conduct telework travel expenses test programs, and for other purposes; H.R. 3121, the ''All-American Flag Act''; H.R. 4177, the ''Preparedness and Risk Management for Extreme Weather Patterns Assuring Resilience and Effectiveness Act of 2017''; H.R. 1850, to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the ''Donna Sauers Besko Post Office''; H.R. 2672, to designate the facility of the United States Postal Service located at 520 Carter Street in Fairview, Illinois, as the ''Sgt. Douglas J. Riney Post Office''; H.R. 2673, to designate the facility of the United States Postal Service located at 514 Broadway Street in Pekin, Illinois, as the ''Lance Corporal Jordan S. Bastean Post Office''; H.R. 3821, to designate the facility of the United States Postal Service located at 430 Main Street in Clermont, Georgia, as the ''Zachary Addington Post Office''; and H.R. 3893, to designate the facility of the United States Postal Service located at 100 Mathe Avenue in Interlachen, Florida, as the ''Robert H. Jenkins Post Office''. H.R. 1132, H.R. 4043, and H.R. 3121 were ordered reported, as amended. H.R. 4174, H.R. 4182, H.R. 4171, H.R. 4177, H.R. 1850, H.R. 2672, H.R. 2673, H.R. 3821, and H.R. 3893 were ordered reported, without amendment.

EXAMINING THE REGULATION OF SHARK FINNING IN THE UNITED STATES

Committee on Oversight and Government Reform: Subcommittee on the Interior, Energy, and Environment held a hearing entitled ''Examining the Regulation of Shark Finning in the United States''. Testimony was heard from Brandi Reeder, Assistant Commander, Fisheries Law Administrator, Law Enforcement Division, Texas Parks and Wildlife Department; and public witnesses.

PUTTING FOOD ON THE TABLE—A REVIEW OF THE IMPORTANCE OF AGRICULTURE RESEARCH

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled ''Putting Food on the Table—A Review of the Importance of Agriculture Research''. Testimony was heard from public witnesses.

OPERATING OR RULEMAKING? A REVIEW OF SBA'S OPAQUE STANDARD OPERATING PROCEDURES PROCESS

Committee on Small Business: Subcommittee on Investigations, Oversight, and Regulations held a hearing entitled ''Operating or Rulemaking? A Review of SBA's Opaque Standard Operating Procedures Process''. Testimony was heard from Joseph Loddo, Chief Operating Officer, Small Business Administration.

EMERGENCY RESPONSE AND RECOVERY: CENTRAL TAKEAWAYS FROM THE UNPRECEDENTED 2017 HURRICANE SEASON

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled ''Emergency Response and Recovery: Central Takeaways from the Unprecedented 2017 Hurricane Season''. Testimony was heard from Chairman McCaul, and Representatives Gene Green of Texas, Rutherford, Lawson of Florida, González-Colón of Puerto Rico, and

Plaskett; William Long, Administrator, Federal Emergency Management Agency; Vice Admiral Karl Schultz, Commander, Coast Guard Atlantic Area; Major General Donald E. Jackson, Jr., Deputy Commanding General for Civil and Emergency Operations, U.S. Army Corps of Engineers; and Pete Lopez, Regional Administrator for Region 2, Environmental Protection Agency.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Full Committee held a markup on H.R. 1133, the ''Veterans Transplant Coverage Act of 2017''; H.R. 1900, the ''National Veterans Memorial and Museum Act''; H.R. 2123, the ''VETS Act of 2017''; H.R. 2601, the ''VICTOR Act of 2017''; H.R. 3634, the ''SERVE Act of 2017''; H.R. 3705, the ''Veterans Fair Debt Notice Act of 2017''; H.R. 3949, the ''VALOR Act''; and H.R. 4173, to direct the Secretary of Veterans Affairs to conduct a study on the Veterans Crisis Line. H.R. 1133, H.R. 1900, H.R. 2601, H.R. 3705, and H.R. 4173 were ordered reported, as amended. H.R. 2123, H.R. 3634, and H.R. 3949 were ordered reported, without amendment.

APPEARANCE OF CARTER W. PAGE

Permanent Select Committee on Intelligence: Full Committee held a hearing entitled ''Appearance of Carter W. Page''. Testimony was heard from a public witness. This was an open hearing in a closed space.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 3, 2017

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Financial Services, Subcommittee on Capital Markets, Securities, and Investment, hearing entitled ''Legislative Proposals to Improve Small Businesses' and Communities' Access to Capital'', 9:15 a.m., 2128 Rayburn.

Next Meeting of the SENATE

3 p.m., Monday, November 6

Senate Chamber

Program for Monday: Senate will resume consideration of the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General, Department of Justice, and vote on the motion to invoke cloture on the nomination at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, November 3

House Chamber

Program for Friday: Consideration of H.R. 3922—Community Health And Medical Professionals Improve Our Nation Act of 2017.

Extensions of Remarks, as inserted in this issue

HOUSE

Aderholt, Robert B., Ala., E1495
Bacon, Don, Nebr., E1490
Bishop, Sanford D., Jr., Ga, E1499
Brooks, Mo, Ala., E1489
Brown, Anthony G., Md., E1491
Carter, John R., Tex., E1492, E1493, E1494, E1496, E1497, E1498
Comer, James, Ky., E1489
Connolly, Gerald E., Va., E1495, E1497, E1498
Davis, Danny K., Ill., E1496
Dent, Charles W., Pa., E1499
Duffy, Sean, P., Wisc., E1490
Garamendi, John, Calif., E1489, E1489, E1490, E1491, E1491, E1492, E1493, E1494, E1495, E1496
Huffman, Jared, Calif., E1492
Jones, Walter B., N.C., E1497
Kelly, Trent, Miss., E1492, E1493
Pallone, Frank, Jr., N.J., E1496
Payne, Donald M., Jr., N.J., E1496
Pocan, Mark, Wisc., E1490
Shimkus, John, Ill., E1498
Stefanik, Elise M., N.Y., E1494
Swalwell, Eric, Calif., E1494
Thompson, Bennie G., Miss., E1491
Young, David, Iowa, E1489, E1490, E1491, E1491, E1492, E1494, E1496, E1498, E1498, E1499

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