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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 8, 2018.

I hereby appoint the Honorable ROGER W. MARSHALL 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 8, 2018, 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.

NATIONAL CHARTER SCHOOLS WEEK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, this week is National Charter Schools Week. It is my pleasure to celebrate alongside the students who have benefited from these innovative institutions. Charter schools serve over 3 million students nationwide, providing students in rural, urban, and suburban settings with unique educational opportunities.

The reforms in the Every Student Succeeds Act enable charter schools to serve more students and allow States to support new, high-quality charter schools to address the growing demand for these schools. And the demand is high. Currently, 5 million students are awaiting their chance to attend. Charter schools offer American families the right to choose what environment is best for their child. It is clear that parents and students want this choice available to them, and they deserve to have it.

HONORING SEAN VESTAL

Ms. FOXX. Mr. Speaker, today I rise to recognize Sean Vestal of Winston-Salem, North Carolina. This year the North Carolina High School Athletic Association awarded Mr. Vestal the Homer Thompson Memorial Eight Who Make a Difference Award. This honor is awarded each year to one coach from each region of the State for excellence in sportsmanship, dedication, and being a student role model.

Known for his supportive relationships with athletes and using the game to teach life lessons that go beyond the court, Mr. Vestal finished his career as North Forsyth's head basketball coach after 12 seasons to spend more time with his family. However, he continues his dedication to students as the school's athletic director.

Congratulations to Mr. Vestal in receiving the Eight Who Make a Difference Award. We are fortunate to have him as an example of sportsmanship and an encouraging role model in North Carolina's Fifth District. I wish him success in his future endeavors.

HONORING RODNEY LEWIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. O'HALLERAN) for 5 minutes.

Mr. O'HALLERAN. Mr. Speaker, I rise today to honor the life of Mr. Rodney Lewis, a respected member of the Gila River Indian Community, a loving father, and a committed Arizonan who made a career fighting for water rights for Indian Tribes across the country.

When he was a boy, Rod, as his friends called him, remembered watching his family survive droughts that destroyed crops, and he would listen to stories about the damming of the Gila River, which gave life to those who lived in the region.

Mr. Lewis served his country in the United States Army infantry, becoming an Army Ranger and rising to the rank of first lieutenant. After being honorably discharged, Rod went to law school at the University of California, Los Angeles, where his next chapter of service began. According to his son, Governor Stephen Lewis, Rod came home to serve his people, to bring back that education, that legal expertise that the community and many Tribes did not have, which was something extraordinary and very significant to the community—and, later on, to the entire southwestern United States.

For over 30 years, Rod not only served as general counsel to his community, but he was also sought after across the country as a preeminent legal scholar on Tribal rights, water and energy law, and Tribal gaming. He was the first Native American attorney to argue and win a case before the United States Supreme Court. He was also the first Native American attorney to be admitted to the State bar and to practice law in Arizona.

One of Rod's longest lasting accomplishments is the Arizona Water Settlements Act, which was signed into law by President George W. Bush. He led the negotiations with the Federal Government, Arizona, and more than 30 non-Indian parties for settlement of the community's water rights and claims. The legislation set aside billions of gallons of water for Arizona Tribes and helped avoid lengthy lawsuits. It also helped settle the long-

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lasting needs of water for the entire southern region of Arizona. I had the honor of working with Rod on important water issues and saw firsthand what his knowledge and passion did for his community and the State of Arizona.

He and his wife, Willardene, met in the first grade and raised a close-knit and passionate family. According to Governor Lewis, his mother and father were the definition of soulmates.

My heart goes out to Willardene, Governor Lewis, John, Katherine, and the whole community as they mourn their loss and celebrate the legacy of a great man.

HONORING THE CENTRE COUNTY 4–H ROBOTICS CLUB

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate the Centre County 4–H Robotics Club for winning the FIRST Robotics Competition and being the first Pennsylvania team to capture the title.

The FIRST Robotics Competition is an international high school robotics competition. Each year, teams of high school students, coaches, and mentors work during a 6-week period to build game-playing robots that weigh up to 120 pounds. The Centre County 4–H Robotics Club was 1 of 405 teams from 22 States and 7 countries to compete in the late-April event which was hosted at Ford Field in Detroit, Michigan.

Each team earned a spot in the contest based on competition performance throughout the year. This year, the Centre County 4–H Robotics Club earned its spot by winning its first regional competition at the Greater Pittsburgh Regional in March. The championship entailed 10 rounds of qualification matches in six divisions. The top eight teams in each division drafted an alliance of four robots to compete in a single-elimination playoff to determine the division champion, at which time the Centre County team joined forces with Stryke Force from Kalamazoo, Michigan; Team Rush from Clarkston, Michigan; and Lake Effect Robotics from Kingston, Ontario.

Mr. Speaker, this is an amazing accomplishment on many fronts. The Centre County 4–H Robotics Club has created state-of-the-art technology, they have worked together with interstate and international peers to achieve success, and they have built long-lasting career skills.

I am incredibly proud of this club, and I want to highlight each team member: Tom Sowers, Mary Davis, Tate Geiger, Hannah Strouse, Petr Esakov, James Hanagan, Nathan Tack, Thad Valentine, Griffen Josephs, Roger Nagel, Emily Christensen, Zach Jester, Lachlan Sneff, Isaiah Adu, Ben Servey, A.J. Marsala, Braydon Button, Alex Mullen, Eli Johnson, and Lee Conklin.

The club had numerous mentors and community supporters who helped them to achieve this first-place international finish. This is especially important today, on National Teacher Appreciation Day. This week we celebrate America's hardworking, dedicated, and passionate teachers, who inspire scores of students. To all of our teachers and mentors, especially those who helped the Centre County 4–H Robotics Club bring home gold at the FIRST Robotics Competition, we salute you.

Mr. Speaker, I wholeheartedly congratulate the Centre County 4–H Robotics Club on this outstanding achievement in Centre County, in the Commonwealth of Pennsylvania, in the United States of America, and, quite frankly, in the world. Congratulations.

WILDLIFE CONSERVATION AND ANTI-TRAFFICKING

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

Ms. BORDALLO. Mr. Speaker, today I introduce the bipartisan Wildlife Conservation and Anti-Trafficking Act of 2018.

I want to first recognize my good friend and Republican colead on this important legislation, Congressman DON YOUNG from Alaska, dean of the House and a longtime conservation leader. I want to thank him for his support as the original cosponsor.

I also want to thank the leading wildlife and marine conservation, whistleblower, and animal welfare groups that have endorsed the bill to date. The Wildlife Conservation and Anti-Trafficking Act will strengthen enforcement against poachers, traffickers, and the global trade in illegal wildlife and seafood products.

Wildlife trafficking; poaching; and illegal, unreported, and unregulated fishing rank among the top global crimes, generating billions in illicit profits each year for transnational criminal organizations and extremist groups. In tackling the global wildlife trafficking trade as our bill does, Congress can help to conserve iconic wildlife and cut off illicit financing for groups responsible for human rights abuses, political corruption, and even terrorism worldwide.

Our bipartisan bill includes enforcement provisions passed by the House in November of 2015, by voice vote, which will empower Federal prosecutors and law enforcement to combat the global wildlife trafficking trade. Importantly, the bill also recognizes the critical role that whistleblowers can play in providing the actionable intelligence needed to prosecute wildlife poachers and take down trafficking rings.

By incentivizing whistleblowers on wildlife trafficking and related crimes to come forward, Congress can increase enforcement and leverage existing Federal agency resources and our legal system at no cost to the taxpayers. Our bill also includes several provisions that will support wildlife conservation worldwide by authorizing a comprehensive international wildlife conservation program within the U.S. Fish and Wildlife Service; also, stationing law enforcement and agency personnel in wildlife trafficking-focused countries identified by the State Department; and providing dedicated funding for wildlife, marine mammal, sea turtle, and shark conservation at no expense to the taxpayers.

I am especially pleased that our bill provides for marine wildlife species which often go overlooked but are increasingly targeted by poachers, traffickers, and illegal fishing. The bill also expands the Marine Turtle Conservation Fund to make the U.S. territories eligible for funding and to provide for the conservation of endangered freshwater turtles and tortoises. Many of the world's freshwater turtle and tortoise species could become extinct in the next few decades, and all sea turtles found in our Nation's territorial waters are listed under the Endangered Species Act.

U.S. territories are home to numerous marine turtle species, including the endangered hawksbill and the green sea turtles native to Guam and the western Pacific Ocean. Lastly, the bill builds upon the success of two laws which I sponsored: the Shark Conservation Act of 2010 and the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015.

Together with Congressman YOUNG, we have put together a comprehensive bill that advances wildlife conservation and continues American leadership in tackling wildlife trafficking and the global trade in illegal wildlife and seafood products. And we do all this with existing Federal resources, at no cost to the taxpayers.

I urge all Members of the House to join me and Congressman YOUNG in cosponsoring the Wildlife Conservation and Anti-Trafficking Act of 2018.

□ 1015

TRIBUTE TO DR. JIMMY E. JACKSON

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

Mr. BROOKS of Alabama. Mr. Speaker, I rise today to recognize the 53-year pastoral career of Dr. Jimmy E. Jackson, who is set to retire in early June.

I first met Dr. Jackson 38 years ago in 1980. Over those 38 years, I have grown to very much appreciate and admire all that Dr. Jackson has done to improve the physical and spiritual lives of Tennessee Valley residents.

Dr. Jackson has dedicated the last 40 years of his pastoral service to the congregation of Whitesburg Baptist Church in Huntsville, Alabama. My colleagues may recall when Dr. Jackson served as a guest chaplain for the House of Representatives in April of 2015.

Dr. Jackson's walk with Christ began on October 26, 1968. That day, Dr. Jackson made the solemn decision to accept Jesus Christ as his Savior and devote his whole life to serving God.

Dr. Jackson has said that he ''knew about Jesus before October 1968, but on that morning when I knew myself to be lost and turned to Jesus Christ in faith, I was converted by the grace of God.''

Through 40 years at Whitesburg Baptist, Dr. Jackson has remained committed to leading people in the Rocket City and Alabama to Christ and has been integral in the spiritual life of the people of the Tennessee Valley.

Under Dr. Jackson's leadership, Whitesburg Baptist Church has grown to 7,100 members, making it one of the largest and most successful churches in the Tennessee Valley.

In Matthew 28, verses 19 and 20, Jesus instructed his disciples to ''therefore go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit and teaching them to obey everything I have commanded you. . . . '' Dr. Jackson has lived this Great Commission through his long pastoral career at Whitesburg Baptist and in our community and the broader Christian faith.

In addition to presiding over Whitesburg Baptist Church, Dr. Jackson served in a number of distinguished capacities, including but not limited to: the executive committee of the Alabama State Board of Missions, the executive committee of the Southern Baptist Convention, a trustee of Southwestern Baptist Theological Seminary, and on the board of regents of the University of Mobile.

I commend Dr. Jimmy Jackson on his exceptional career and service to God. I wish Dr. Jackson many years of happiness as he begins this new phase of life with his bride of nearly 58 years, Bobbi; his children; his grandchildren; and his great-grandchildren.

HONORING OFFICER ROBERT SHAWN PITTS OF THE TERRE HAUTE POLICE DEPARTMENT

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

Mr. BUCSHON. Mr. Speaker, it is with a heavy heart that I rise today to honor the life and service of Officer Robert Shawn Pitts of Terre Haute Police Department, who was killed in the line of duty on Friday, May 4, 2018.

Officer Pitts was born in Vincennes, Indiana, and dedicated his life to the security and protection of his community. He proudly served with the Terre Haute Police Department for the past 16 years and with the Sullivan Police Department for 6 years prior to joining the force in Terre Haute. He was also a member of the Special Response Team and the U.S. Marshals Task Force.

I want to extend my deepest sympathies and condolences to the family and friends of Officer Pitts, especially his three children: Brooke, Austin, and Dakota.

Law enforcement personnel across this country go to work every day to serve and protect our communities. These brave men and women risk everything to keep our cities and our families safe and secure. Events like these are somber reminders of what heroes who stand on the thin blue line and their families sacrifice on our behalf.

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

□ 1200

AFTER RECESS

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

PRAYER

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

Loving and gracious God, we give You thanks for giving us another day.

Help us, this day, to draw closer to You, so that with Your spirit and aware of Your presence among us, we may all face the tasks of this day.

Bless the Members of the people's House. Help them to think clearly, speak confidently, and act courageously in the belief that all noble service is based upon patience, truth, and love.

Earlier today, we remembered the fallen heroes of our Capitol Police force: Sergeant Christopher Eney, Detective John Gibson, Officer Jacob Chestnut, and Sergeant Clinton Holtz. May their families be consoled knowing that there is no greater love than to lay down one's life for another.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN) come forward and lead the House in the Pledge of Allegiance.

Miss GONZÁLEZ-COLÓN of Puerto Rico 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.

MOMENT OF SILENCE HONORING THOSE KILLED OR WOUNDED IN SERVICE TO OUR COUNTRY

The SPEAKER. The Chair asks that the House now observe a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families.

APPOINTMENT OF CHAPLAIN OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. Pursuant to the provisions of section 208(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 5501(a)), the Chair appoints Father Patrick J. Conroy of the State of Oregon to act as and to exercise temporarily the duties of Chaplain of the House of Representatives, effective Friday, May 25, 2018.

Will Father Conroy please come forward and take the oath of office.

Father Conroy appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

ANNOUNCEMENT BY THE SPEAKER

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

RECOGNIZING CASA FAMILIA

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize Casa Familia, a nonprofit organization in my congressional district dedicated to serving individuals with special needs.

Casa Familia was founded by eight families with special needs children, and I am proud to have known one of the founders, Lourdes Sanchez, for many, many years. They came together to solve a very real problem in south Florida: the lack of affordable, quality housing for individuals with intellectual and developmental disabilities, or IDD.

Sadly, close to 1 million Floridians are diagnosed with an intellectual or developmental disability and are unable to live independently. That is where Casa Familia comes in. This outstanding organization provides affordable housing solutions, vocational

training, and employment services for adults with IDD.

Casa Familia is also planning an integrated residential community that will offer a variety of recreational activities and educational programs to ensure that residents continue to grow and develop.

Mr. Speaker, I would like to thank everyone at Casa Familia for all that they do to improve the lives of so many individuals and help them achieve their full potential.

COMPLIANCE ASPECT OF NUCLEAR DEAL

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

Ms. JACKSON LEE. Mr. Speaker, just a few years ago, there was serious deliberation, prayer, much review, the utilization of experts as the House of Representatives voted for the Iran deal of the P5+6. I remember extensive deliberations and the probing of experts on the compliance aspect of this nuclear deal.

As I speak, the President has announced a pullout—or will be announcing such, I think—with drastic consequences. It is certainly appropriate to look at bilateral agreements, but to all that have reviewed, Iran is complying with this agreement. As we approach North Korea, it will be baffling to them as we try to engage in a final agreement.

This is not about campaign pledges or your dislike for the former President of the United States. It is about the safety and security of the world and the containment of nuclear products and the utilization of such.

So I would argue that the Congress needs to stand up, make good on its commitments, protect the American people and the world from nuclear catastrophe.

THE IRAN NUCLEAR DEAL

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

Mr. WILSON of South Carolina. Mr. Speaker, as President Donald Trump is set to make an announcement this afternoon regarding the failed nuclear agreement with Iran, I want to again express my continued opposition to this deal and thank President Trump for his determination.

Prime Minister Benjamin Netanyahu has revealed compelling revelations in the last week of Iranian duplicity. This was a reckless and dangerous deal from the start. It never served the interests of American families, and it continues to threaten the safety and security of our allies, especially Israel.

In just 7 years, there will be nothing stopping the Iranian dictatorship from constructing nuclear weapons as they chant ''death to Israel, death to America'' while they oppress the Iranian people.

In addition, President Obama authorized a cash ransom of $1.7 billion to Iran to release five innocent Americans. This deal promoted Iran's monetary support for terrorist groups Hezbollah, Hamas, and militias that plant IEDs to murder Americans.

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

HONORING THE LIFE OF FRANK MESIAH

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

Mr. HIGGINS of New York. Mr. Speaker, I rise today to honor the life of my friend Frank Mesiah, the recently deceased former longtime president of the Buffalo NAACP.

After serving in the United States Armed Forces, Frank returned to Buffalo in 1950, where he would serve in law enforcement and education and would take on discrimination cases for the State Department of Labor.

Frank left an indelible mark on Buffalo, dedicating his life to fighting discrimination. Frank was a leader passionately committed to positive change. Frank was instrumental in the desegregation of Buffalo public schools and the successful integration of the Buffalo Police Department.

Western New York is grateful for Frank's lifetime of tireless work to advance the cause of justice and equality, the impact of which we and future generations will feel for years to come.

MOURNING THE LOSS OF PUERTO RICO AIR NATIONAL GUARDSMEN

(Miss GONZÁLEZ-COLÓN of Puerto Rico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, last Wednesday, the Puerto Rico Air National Guard tragically lost nine of its finest near Savannah, Georgia.

The people of Puerto Rico, especially the close-knit family of our Air Guard, share the terrible pain and join in prayer for the families of Major Jose Roman Rosado, Major Carlos Perez Serra, First Lieutenant David Albandoz, Senior Master Sergeant Jan Paravisini, Master Sergeant Jean Audriffred, Master Sergeant Mario Brana, Master Sergeant Victor Colon, Master Sergeant Eric Circuns, and Senior Airman Roberto Espada, all fallen in the line of duty.

Like all members of the Puerto Rico Air National Guard, they are an example of the best in the long tradition of Puerto Ricans in the U.S. Armed Forces. They risked and gave their lives like many others before them, serving the Nation and a community that is shattered by their loss. We are proud of their service.

As we mourn our heroes, let's commit ourselves to honor their sacrifice by giving their comrades in arms the adequate resources and support to do so.

God grant our fellow warriors rest, and may His eternal light shine upon them.

NATIONAL TEACHER APPRECIATION DAY

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

Mr. O'HALLERAN. Mr. Speaker, I rise today on National Teacher Appreciation Day to praise the work of educators and school staff in Arizona and across the Nation. These men and women are shaping the lives of our children and preparing them at every educational level for a successful future.

I am married to a teacher, Mr. Speaker, and she and all teachers will tell you that there is no such thing as a former teacher; they are educators for life.

I am grateful for the teachers I have had over the years, and I am proud to stand with Arizona and America's teachers as they demand adequate pay for the important work they do.

Investing in education will spur economic growth, create jobs in communities across the country, and allow future generations to thrive.

Mr. Speaker, we must do more to support our schools, our educators, and our students.

LEGISLATION NEEDED FOR DIGITAL CURRENCY

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

Mr. DAVIDSON. Mr. Speaker, I rise today to discuss digital currency, particularly initial coin offerings.

These innovations have outpaced regulators and the courts. Now, regulators and courts are beginning to weigh in.

Meeting with agency officials and industry leaders makes one thing clear: Making the markets work in the United States of America requires legislative certainty. Failure for Congress to act produces uncertainty, and that will drive capital and innovation offshore.

Our task is to answer questions like: How are these tokens traded? Are they securities or commodities? Who is the proper regulator? How do we prevent fraud? These are just some of the questions that need answers.

Congress needs to act by passing legislation that creates certainty and turns the United States into a market maker. I intend to lead this legislation for initial coin offerings to clarify the role of regulators, protect consumers, address national security concerns, and facilitate a pro-growth environment for businesses to raise capital here in America.

MAKE HEALTHCARE INSURANCE WORK

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

Mr. KILDEE. Mr. Speaker, it was a year ago this very day that Republicans in this House voted to eliminate healthcare for millions of Americans, something we knew at that point, if it went through, would increase premiums on millions of other Americans that still had coverage. And after that vote, they all boarded a bus and went over to the White House for a big celebration.

Thankfully, that bill never became law, because had it become law, people would not have been protected with health insurance if they had a preexisting condition. There would have been a terrible age tax imposed on people ages 50–64. It would have been a massive step in the wrong direction.

Despite the fact that that legislation did not become law, we are still seeing premium increases because of the undermining of the law of the land. The Affordable Care Act has been undermined by the Trump administration and by action by this Congress, and because of that, we are seeing premium increases again.

Forever, we heard from the other side criticisms of premium increases that were more in line with inflation in healthcare. Now, in Michigan, we see a 28-percent increase under this administration. Where is the outrage?

We ought to work together to fix the problem. The Affordable Care Act is not perfect. I am the first to admit it. Let's stop undermining the law and make it work.

□ 1215

PUBLIC SERVICE RECOGNITION WEEK

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

Mr. WITTMAN. Mr. Speaker, today, I rise to recognize our Nation's public servants and to thank them for their important contributions to our country.

In every community across America, Federal employees work to make sure our government is effective and keeps us safe. Their daily contributions to their fellow citizens, and to the cause of freedom, are simply immeasurable. In America's First District, there are many hardworking and dedicated patriots who serve the people of this Nation every day.

As we celebrate Public Service Recognition Week, which started on Sunday, May 6, and ends on Saturday, May 12, I want to express my utmost gratitude to the country's Federal employees, as well as our dedicated State, county, and local public servants for their tireless service. I am proud to represent the tens of thousands of Federal employees, retirees, and local and State government officials who live in the First District of Virginia.

The Federal workforce is full of dedicated and committed citizens who exemplify patriotism in everything they do. I hope my colleagues will join me in honoring them for their service to ensure the security of our Nation.

NATIONAL TEACHER APPRECIATION DAY

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

Ms. PLASKETT. Mr. Speaker, on National Teacher Appreciation Day, I rise to acknowledge the outstanding achievements of Virgin Island teachers and bring attention to the educational crisis occurring in the U.S. Virgin Islands.

Ms. Michaelrose Ravalier, a teacher at Ivanna Eudora Kean High School, represented the Virgin Islands at the 2018 National Science Teachers Conference and was awarded the Maitland P. Simmons Memorial Award for New Teachers.

This is the first Virgin Islander to be a recipient of this award, yet she and her incredible colleagues, including Margot Oyake and Alenia Buncome Murraine of St. Thomas, and the other St. Croix teachers, do not have adequate funding to support their duties. The Virgin Islands Department of Education reported nearly 150 personnel vacancies and 12 shuttered schools following the hurricanes last year. Virgin Island students attend school in 4-hour shifts each day.

I urge my colleagues to work with me to ensure the educational system of the Virgin Islands receives the necessary funding to allow students to learn and prosper. The best way to support our teachers is by giving them the resources they need to teach our children.

Take time today to thank every teacher who supports our children.

HONORING PRIVATE FIRST CLASS ROBERT BURKE

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to commemorate Private First Class Robert Burke from the United States Marine Corps, who gave the ultimate sacrifice 50 years ago during Operation Allen Brook in Le Nam, Vietnam. For his bravery, he was awarded the Congressional Medal of Honor. At the age of 18, he is the youngest Medal of Honor recipient from the Vietnam war.

Private Burke enlisted in the U.S. Marines in 1967, while he was still a student at Monticello High School in Piatt County, Illinois. He was sent to the Republic of Vietnam with India Company of the 3rd Battalion, 27th Marines, where he was assigned as a machine gunner. During Operation Allen Brook on May 17, 1968, Private Burke and his company came under intense fire from the well-concealed North Vietnamese. With several of his fellow marines wounded, Private Burke spared no time. He immediately used his machine gun to launch several one-man assaults against the enemy, allowing upwards of three dozen casualties to be evacuated.

He relentlessly delivered fire to the enemy, even obtaining a casualty's rifle when his own malfunctioned. He continued to advance in defense of his brothers in arms until he was mortally wounded.

No words of gratitude can properly express how thankful the American people and the Congress are for Private Burke's selfless actions that saved the lives of so many. Private Burke gave his life for his friends and for his country. He is the truest example of bravery, and I am proud to honor him today.

TRIBUTE TO DETECTIVE ELISE YBARRA

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

Mr. ARRINGTON. Mr. Speaker, I rise today to pay tribute to the life, service, and legacy of Abilene Police Department detective, Elise Ybarra.

Detective Ybarra was tragically killed last August en route to a conference focused on her life's work: fighting crimes against children. She was just days shy of her 33rd birthday and left behind a loving husband and a 10-month-old daughter. Elise Ybarra represented the best of west Texas in her service and sacrifice for our community.

The Bible teaches us that, even in the most trying of times, the light shines in the darkness, and the darkness shall not overcome it. By carving Elise's name into the National Law Enforcement Officers Memorial, we ensure that her light will continue to shine, a beacon of valor for our entire Nation to see.

To her husband, Adam: God's peace and comfort to you, brother. To baby, Noelle: May your mom's strength and courage live on in you.

VICTORY IN EUROPE DAY

(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, 73 years ago, Nazi Germany's forces formally surrendered, marking the end of World War II in Europe.

Today, we commemorate Victory in Europe Day, or VE Day. Celebrations erupted throughout the world on May

8, 1945, to mark the end of the Second World War in Europe.

From Paris to London to New York and in small towns everywhere, people poured into the streets to join the revelry.

Old photos showed ticker tape parades and streamers galore, exciting and proud crowds were cheering the German surrender.

The war was over in Europe, and so many American GIs would return home to be with their loved ones.

It would take another 4 months and the use of two atomic bombs before Japan surrendered and World War II ended for good.

Mr. Speaker, the end of the war in Europe meant an end to nearly 6 years of war—a war that cost millions of lives; a war that destroyed homes, families, and cities; but a war that stamped out hatred and bigotry for the greater good.

VE Day is one that shall never be forgotten.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Mariel Ridgway, one of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 5645, STANDARD MERGER AND ACQUISITION REVIEWS THROUGH EQUAL RULES ACT OF 2018; PROVIDING FOR CONSIDERATION OF H.R. 2152, CITIZENS' RIGHT TO KNOW ACT OF 2018; AND PROVIDING FOR CONSIDERATION OF S.J. RES. 57, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 872 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 872

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5645) to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2152) to require States and units of local government receiving funds under grant programs operated by the Department of Justice, which use such funds for pretrial services programs, to submit to the Attorney General a report relating to such program, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary 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 and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (S.J. Res. 57) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act''. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to commit.

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

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentlewoman from California (Mrs. TORRES), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation.

The rule makes in order two bills reported favorably by the Judiciary Committee and a Senate joint resolution that gives this House an opportunity to utilize the Congressional Review Act to repeal the CFPB's onerous regulation on indirect auto lenders.

The first proposal we will consider today is the Citizens' Right to Know Act of 2018. This piece of legislation, offered by my friend and colleague from Texas, Judge TED POE, will bring much-needed sunlight to the Federal pretrial services programs.

We will also consider legislation offered by my fellow Judiciary Committee member, Representative HANDEL from Georgia, which ensures companies entering into merger proceedings will receive equal treatment, whether their case is reviewed by the Department of Justice or the Federal Trade Commission.

Finally, the House will consider a joint resolution that will repeal the Consumer Financial Protection Bureau's burdensome guidance on indirect auto lending. Senator MORAN's legislation previously passed the Senate 51–47 on March 22, 2018. President Trump has also signaled his support for this legislation.

The rule makes in order one amendment to the Standard Merger and Acquisition Reviews Through Equal Rules, or SMARTER, Act.

Why?

Because all other amendments offered were not germane to the subject matter being discussed in these important pieces of legislation.

Mr. Speaker, today, we have an opportunity to debate a crucial component of the criminal justice system: federal pretrial release programs. Before the 1960s, defendants had three options to be released prior to trial. Individuals were either released upon one's own recognizance, or if they posted commercial bail, or the individual would remain in prison until his or her hearing date.

However, in the 1960s, the Johnson administration established a fourth option: pretrial services programs. These programs were originally intended to assist nonviolent, indigent individuals who did not possess the means to post commercial bail. The program captured information about the alleged offender's community ties and released low-risk individuals without financial obligations. The program only required a signature and a promise to appear in court.

While pretrial release programs were created to serve those individuals who do not pose a threat to the community and could not afford to post commercial bail, these taxpayer-funded programs have quickly expanded and overgrown their original intent.

Today, more than 300 pretrial release programs exist across the United States. These programs are being used to slowly eliminate a successful service that operates independently of Federal tax dollars: the commercial bail system.

In fact, a number of major cities across the country are exploring the potential of moving completely to a pretrial release system while significantly reducing the use of commercial bail.

However, the problem with this expansion and these federally funded pretrial release programs is that they allow violent individuals and repeat offenders to participate even when many of these defendants are perfectly capable of posting a commercial bond and have previously done so.

Offenders are not required to post any collateral for their release. There is no supervision to ensure that they show up in court on their hearing date. Worst of all, there is no incentive to prevent a criminal from committing another crime in the meantime.

If you have ever watched an episode of the popular television show ''Dog the Bounty Hunter,'' you know that this is not how the commercial bail system works. These professionals ensure that defendants show up for trial on the correct date, or they will physically bring the individual in question to the courthouse for their hearing.

□ 1230

On top of these issues, federally funded pretrial release programs are not required to report to the Department of Justice any information regarding an offender's past criminal history, utilization of the pretrial release program, failure to appear before a court, and any other relevant compliance data. A judge is essentially releasing potentially dangerous individuals back into the community with so little as a wink and a promise that they will appear in court.

We cannot allow this practice to continue. Mr. Speaker, our constituents deserve to know whether their tax dollars are being spent responsibly.

Judge POE's bill, the Citizens' Right to Know Act, will address these significant concerns by ensuring that the Department of Justice and Congress have the information we need to determine whether these programs that receive millions of dollars from the Federal Government are operating effectively.

The legislation requires the Attorney General to submit a report to Congress annually that includes information regarding each defendant participating in a pretrial release program. The report will include the individual's name, each occasion the individual failed to appear for court, and the individual's previous arrest record.

Additionally, this proposal ensures that local jurisdictions will submit required data to the Department of Justice by establishing that any failure to produce this report will result in forfeiture of a portion of the jurisdiction's Federal grant funds for the following year.

Mr. Speaker, this bill is a good government solution that will provide much-needed oversight for pretrial services programs and give communities an incentive to ensure we are not allowing violent repeat offenders back on the streets without the correct level of supervision.

Finally, this important legislation will also ensure that the millions of taxpayer dollars we spend annually on those programs are being utilized in the best way possible.

We owe it to our constituents to make sure that we know how their hard-earned money is being spent. It is about time that we brought a little sunlight to these programs that allow potentially violent offenders to go free in our communities.

Mr. Speaker, the Judiciary Committee also moved an important piece of legislation that will bring parity to the merger and acquisition process no matter which Federal agency takes charge of the antitrust review process.

Currently, both the Federal Trade Commission and Antitrust Division of the Department of Justice have authority to enforce section 7 of the Clayton Act, which prohibits mergers and acquisitions that could undermine competition in the marketplace or create a monopoly. Both agencies receive notice of proposed mergers and are given an opportunity to review the transaction, while only one agency ends up taking custody of the transaction.

However, the FTC and DOJ maintain different standards when seeking a preliminary injunction against a proposed merger. This disparity manifests itself in multiple ways. However, one main difference is that the DOJ will often seek both a preliminary and permanent injunction before a district court, while the FTC has fought against this consolidation of injunctions. That means that two separate Federal agencies with two different legal standards oversee the merger process without any clear guidance determining which agency and standard will be used to examine the transaction.

Mr. Speaker, we cannot continue fostering this double standard surrounding merger and acquisition review. Businesses need certainty before attempting to enter into major transactions, and Federal regulatory bodies must be as transparent as possible when making decisions that can create major ripples in the country's economy.

Representative HANDEL's bill, the SMARTER Act, gives businesses certainty about how their merger will be reviewed before entering into a major deal. This important piece of legislation harmonizes the Federal antitrust review process by ensuring mergers and acquisitions will be treated identically no matter what Federal regulatory agency reviews the transaction. This bill will treat businesses in a way that will encourage continued economic growth, build market stability, and ensure the review process will be the same no matter which Federal agency reviews the transaction.

Mr. Speaker, while we are debating the topic of financial stability and economic growth, we are also here to discuss an important piece of legislation the Senate recently passed and we will consider on the House floor this week.

The House will debate S.J. Res. 57, Senator MORAN's legislation that offers a resolution of disapproval under the Congressional Review Act that would overturn the CFPB's onerous regulation of the indirect auto lending industry. In fact, despite being expressly prohibited from overseeing auto dealers in the Dodd-Frank financial reform law, the CFPB promulgated and issued guidance regulating the indirect auto lending industry.

To make matters worse, the CFPB tried to disguise this harmful regulation by issuing it in the form of a guidance document, which does not need to go through the typical notice and comment process. This arduous regulatory scheme sought to disrupt third-party lending, especially from small community banks and credit unions in the auto loan market. The CFPB did so by issuing guidance stating that, in order to avoid liability under the Equal Credit Opportunity Act, institutions with indirect lending relationships with auto dealers must either place controls on dealer compensation or forbid dealers from offering a marked-up rate on loans.

The CFPB overstepped its statutory authority once again in what the agency described as an attempt to reduce discrimination in the marketplace. However, as Chairman HENSARLING testified before the Rules Committee yesterday, the House sent 13 letters to the CFPB questioning the rationale for the rule and science the agency used to determine that there was discrimination occurring in the marketplace. Not surprisingly, the CFPB could not point to sound science that led to this decision. In fact, new evidence shows that the CFPB's expected outcomes could be off by as much as 20 percent.

To make matters worse, Chairman HENSARLING also testified that this rule is expected to increase the per person cost of purchasing an automobile by $586 per loan. I know that in eastern Colorado, $586 makes a big difference. That is the difference between being able to put money aside for taking a family vacation or making much-needed home repairs.

This guidance has only resulted in removing options from consumers, reducing the ability to find affordable auto financing, and setting a dangerous precedent in how to dance around Federal rulemaking processes.

Mr. Speaker, it is time that this Congress takes steps to rein in the CFPB's unaccountable, overbroad regulatory powers. One agency should not have the ability to significantly curtail an entire facet of the lending market. Additionally, no agency should be able to skirt formal rulemaking procedures when issuing guidance of this magnitude.

The CFPB's indirect auto lending rules create an unworkable situation where an independent agency, manned by unaccountable bureaucrats, flagrantly ignored Federal statute to do what it thinks is best for the American people. Instead of benefiting the American people, though, this guidance

threatens to raise the cost of credit, cut back opportunity for indirect lending, and has created disincentives for financial companies to provide customers with discounted auto loans.

Congress must take this opportunity to overturn a detrimental guidance that is not only circumventing the rule of law by disguising new regulations in an effort to draw less scrutiny, but is also raising rates and providing fewer choices for consumers.

This resolution of disapproval will accomplish all of these goals. The legislation, which recently passed in the Senate 51–47, will utilize the Congressional Review Act process to overturn the CFPB's guidance while also sending a clear message that agencies should not be circumventing congressional oversight.

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

Mrs. TORRES. Mr. Speaker, I thank the gentleman from Colorado (Mr. BUCK) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, last week, many of us spent our time in the district working, meeting with our constituents, seeing the good work that people are doing, and learning what issues people want us to take up when we return to voting.

I wish I were before you lauding the majority's leadership for finally taking up the most important and pressing work for our constituents, but, unfortunately, that is not the case. Instead, this rule brings three bills to the floor, three bills none of my constituents have been pleading for, three bills that don't require immediate action, bills that may not even see Senate consideration.

Last year, this majority set the record for the most closed rules in a session, and it seems that nothing has changed.

The first bill considered in this rule is H.R. 2152, the Citizens' Right to Know Act. While I understand the goal of this legislation, by attempting to improve the pretrial services programs to keep dangerous criminals off the streets, this bill fails to accomplish the real need to improve how our Nation's flawed bail systems operate. While this bill received a markup, it received no hearings and was reported out of the Judiciary Committee on a straight party-line vote. Surely, we can do better than this.

The second bill we are considering is H.R. 5645, the Standard Merger and Acquisition Reviews Through Equal Rules Act, or SMARTER Act. Quite simply, this bill aims to weaken the Federal Trade Commission's ability to carry out the agency's antitrust responsibilities.

Maybe things are different elsewhere in the country, but I have not had one constituent call my office complaining about the need to weaken the FTC's antitrust enforcement abilities. No. People in southern California are more concerned about good wages, finding affordable housing, and getting their children a good education. However, again, we will take up this legislation, which already died in the Senate last Congress. This legislation undermines the independence of the FTC and undercuts the congressional intent and purpose for the agency's creation.

There are far more important issues under the jurisdiction of the Judiciary Committee that we should be considering instead, including bipartisan gun safety measures and legislation to protect Dreamers. However, instead of considering these very important issues facing our Nation, we are debating a bill to make technical changes to antitrust laws that, if enacted, would only be used in exceedingly rare situations.

Finally, the third legislation included in this rule is S.J. Res. 57, a Congressional Review Act disapproval resolution of a CFPB rule relating to ''Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act.'' Unlike the other two bills included in this rule, this joint resolution hasn't seen a single hearing or markup in the House.

If the majority is fine with bringing up legislation that has yet to have a hearing, why not bring up the Dream Act?

Two weeks ago, I spoke about some of the more important issues our constituents care about, and nothing about my time back home in California changed my beliefs of what we should be working on. In fact, over the past 2 weeks, we have seen even more Members sign on to Representative DENHAM's Queen of the Hill resolution. Three more Members of the majority now support an open process.

For those who may not understand what Queen of the Hill means, it is really quite simple: let the best idea win.

If Speaker RYAN allows us, Queen of the Hill would give all the competing immigration proposals in Congress a vote on the floor. All of us would have an opportunity to vote on the four most well-known proposals: the Dream Act, Chairman GOODLATTE's bill, the USA Act, and any other bill the Speaker sees fit for a vote. This is how the House should work: an open process where we take up the most important issues of the day.

Mr. Speaker, I urge my colleagues to oppose the rule we have before us.

I reserve the balance of my time.

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

□ 1245

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

Mr. Speaker, my Republican friends like to claim that their tax scam bill they jammed through Congress last year, skewing all the benefits to the wealthy and rich corporations, is some sort of panacea that will eventually trickle down all of its benefits to American workers, curing all the ills in our economy. That tired idea hasn't worked before, and it isn't working now.

But don't take my word for it. Just ask the Republican Senator from Florida, MARCO RUBIO, who said in a recent interview: ''There is still a lot of thinking on the right that, if big corporations are happy, they're going to take the money they're saving and reinvest in American workers. In fact, they bought back shares; a few gave out bonuses; there's no evidence whatsoever that money's been massively poured back into the American worker.''

All this Republican majority seems intent on doing is bringing up bills that benefit large banks and big businesses. When are we going to do something for workers?

As we toil on rolling back the Wall Street regulations and cutting taxes for the richest corporations, the 21st century economy is changing. Mr. Speaker, over the next decade, approximately 45 percent of all jobs will be in middle-skill occupations, which require more than a high school diploma but less than a bachelor's degree. Registered apprenticeship programs are a vital element of training for these middle-skill occupations and helping individuals contribute to an effective workforce.

A highly skilled workforce is necessary to compete in today's global economy, but this Republican majority has given working Americans a raw deal instead of extending a helping hand. Luckily for my Republican colleagues, today we will give them an opportunity to vote on legislation that will actually benefit American workers and finally help them get a better deal.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative POCAN's LEARNS Act, H.R. 2933, which would promote effective registered apprenticeships that would give students and workers the skills they need to find well-paying jobs.

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

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

There was no objection.

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

Mr. BUCK. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, I rise in support of this rule for an important resolution, S.J. Res. 57. I proudly sponsor the House companion legislation to this Congressional Review Act resolution to repeal ill-founded guidance issued by the Consumer Financial Protection Bureau relating to the dealer-directed auto lending market.

Mr. Speaker, only to a group of unaccountable bureaucrats in Washington, D.C., would it make sense to raise the

cost of lending for some of the most vulnerable consumers while, at the same time, claiming you are doing this edict to help them.

The indirect auto lending market, also known as dealer-directed financing, is loans offered to car buyers in the dealership where they are purchasing the vehicle, as opposed to direct auto loans which consumers get from banks or other financial institutions.

Dealer-directed financing is an important option for consumers and provides them and the dealership they are purchasing the vehicle from with the flexibility to meet a consumer's needs based on their budget and credit score.

In 2013, in an attempt to shut down this market, the Consumer Financial Protection Bureau, under the leadership of Richard Cordray, issued this flawed guidance based on questionable ''disparate impact'' statistics. To justify this illegal and secretive edict, the CFPB falsely accused honest automobile dealerships and the financial institutions they work with of unproven violations of fair lending practices.

The CFPB, through its own admission, noted a 20 percent error rate in its data, and an independent audit of the data used to justify this ruling showed an error rate as high as 41 percent.

If the CFPB had followed the law, most notably, the Administrative Procedure Act, which requires public notice and comment on any pending regulations, they could have been held accountable for their use of deeply flawed data to justify a questionable regulation. To get around the law, however, the CFPB issued the ruling as ''guidance,'' but then proceeded to enforce this mandate as a Federal regulation. Through this flawed attempt to take control of the $1.1 trillion auto lending market by effectively barring dealer-directed financing, this Obama-era CFPB ruling could raise the cost of auto loans by nearly $600 for each consumer.

Let's be absolutely clear: discrimination of any kind, whether in lending, housing, or other financial services, is morally repugnant and also very illegal under various Federal and State laws, including the Equal Credit Opportunity Act, or ECOA.

But what is also very wrong and illegal is when a rogue Federal agency sidesteps the law and common sense by creating a false claim of unfair lending practices with zero proof, transparency, or accountability.

Mr. Speaker, I strongly support the hard work of Director Mulvaney in undoing so much of the damage caused by his predecessor, but it is critical we assist him by changing the law. Through passage of this resolution, Congress will use its Article I powers and our authority under the Congressional Review Act to strike down this flawed regulation.

Once a regulation is repealed through passage of a CRA resolution into law, Federal agencies are barred from issuing a similar regulation in the future. Through this resolution, we can assure that this Warren-Cordray-Obama attack on automobile dealerships and their customers will never be revived by a future administration.

Just 2 years ago, a similar measure to rein in a flawed CFPB ruling passed this Chamber with overwhelming bipartisan support. I hope this continues to be a priority on both sides of the aisle, and I urge all of my colleagues to support this rule.

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

As I mentioned, this rule includes three bills. One of those is H.R. 2152, the Citizens' Right to Know Act. The Citizens' Right to Know Act fails to address the real problems in our Nation's bail system and, instead, threatens to make things much, much worse.

I don't think many of us disagree with the need to assist our local governments in keeping dangerous criminals off the streets while respecting the rights of those who may be innocent of crimes and have yet to have had their day in court. This legislation makes things worse. It threatens Federal assistance and would encourage local governments to lean more on high bail demands.

Unlike many bipartisan proposals in Congress which seek to make real improvements to bail, this bill will likely result in more low-income individuals being kept in jail simply because they aren't one of the fortunate who can afford to pay bail. This is a real issue in southern California and why I have worked with my colleagues on legislation to implement ''ability-to-pay'' rules to bail demands. Your income shouldn't determine your freedom.

In our community, bail was so excessive that private companies found a way to get rich off people who couldn't afford to pay the high costs. We ended up with people stuck in permanent contracts, paying hundreds of dollars a month to companies that found ways to skirt the rules of bail bondsmen.

We support greater transparency in our criminal justice system; however, this bill falls short of that goal. Rather than shedding the light on our trial system, this bill undermines Americans' privacy rights and exposes defendants to vulnerability.

The American Civil Liberties Union, ACLU, has come out in strong opposition to this bill, citing privacy concerns due to the personally identifiable information that will be collected and publicly reported by the Federal Government.

Mr. Speaker, I include in the RECORD the text of the ACLU's position letter.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, March 7, 2018.

Re ACLU Opposes H.R. 2152, the Citizens' Right to Know Act of 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

Hon. JERROLD NADLER,
Ranking Member, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER NADLER: On behalf of the American Civil Liberties Union (ACLU), we write to express our opposition to H.R. 2152, the Citizens' Right to Know Act of 2017,'' as the House Judiciary Committee considers this bill. This legislation raises privacy concerns for the ACLU given the personally identifiable data that is to be collected and publicly reported by the federal government. The bill also undermines efforts to eliminate or reduce jurisdictions' reliance on money bail systems. We urge the Committee to instead consider H.R. 1437, the ''No Money Bail Act of 2017,'' and H.R. 4019, the bipartisan ''Pretrial Integrity and Safety Act of 2017,'' two bills endorsed by the ACLU.

For nearly 100 years, the ACLU has been our nation's guardian of liberty, working in courts, legislatures, and communities to defend and preserve the individual rights and liberties that the Constitution and the laws of the United States guarantee everyone in this country. The ACLU takes up the toughest civil liberties cases and issues to defend all people from government abuse and overreach. With more than two million members, activists, and supporters, the ACLU is a nationwide organization that fights tirelessly in all 50 states, Puerto Rico, and Washington, DC, for the principle that every individual's rights must be protected equally under the law, regardless of race, religion, gender, sexual orientation, disability, or national origin. The Citizens' Right to Know Act is inconsistent with the ACLU's mission.

THE CITIZENS' RIGHT TO KNOW ACT RAISES PRIVACY CONCERNS

The Citizens' Right to Know Act requires jurisdictions receiving funds from the Department of Justice (DOJ) to report to the Attorney General the names, arrest records, and appearance failures for those participating in DOJ funded pretrial services programs. The legislation allows the Attorney General to make public the names, arrest records, and failure appearances that jurisdictions report. Except for a clause that subjects the data ''to any applicable confidentiality requirements,'' the bill does not provide any explicit privacy protections for those whose personally identifiable information has been collected by the federal government and is subject to public release. The bill requires that the Attorney General penalize noncompliant jurisdictions by denying them 100% of the DOJ grant program funds that are used to support pretrial services programs.

While the ACLU appreciates the need for the federal government to collect and report data, personal privacy interests must be balanced with public interests. When personally identifiable information is being collected and publicly reported, the ACLU largely believes that such information should be obtained and disseminated only with individuals' informed consent. We also believe that the potential to harm individual reputations should be considered when arrest records are publicly shared. We are troubled that the Citizens' Right to Know Act would collect and publicly report personally identifiable information of individuals participating in pretrial services programs—individuals who have not been convicted of a crime given their pretrial status.

THE CITIZENS' RIGHT TO KNOW ACT UNDERMINES BAIL REFORM EFFORTS

The Citizens' Right to Know Act is inconsistent with bipartisan efforts to reform money bail systems, like the Pretrial Integrity and Safety Act, which the ACLU endorses. By collecting and reporting only certain data about pretrial services programs and those participating in them, the Citizens' Right to Know Act will depict a one-sided picture of pretrial services programs and participants. For example, the legislation's focus on when an individual has failed to appear promises a negative narrative around the pretrial stage. If this bill were serious about measuring the true impact of pretrial services programs, it would collect a more robust data set and not that which is of interest only to the bail bonds industry.

The ACLU supports bail reform that corrects the injustice of basing a defendant's release on how much money the person has. Instead of considering the Citizens' Right to Know Act, the Committee should take up the Pretrial Integrity and Safety Act. This legislation would incentive jurisdictions to reform their money bail systems through federal resources rather than penalize them like the Citizens' Right to Know Act, which denies DOJ grants to noncompliant jurisdictions. The Pretrial Integrity and Safety Act would build safer communities, stronger families, and a fairer criminal justice system by ensuring that people who are innocent in the eyes of the law are not deprived of their freedom because they cannot afford money bail.

For the above described reasons, the ACLU urges Members of the House Judiciary Committee against favorably reporting out the Citizens' Right to Know Act. Instead, we encourage the Committee to give serious consideration to bail reform bills through legislative and oversight hearings on the issue. If you have any questions, please contact Kanya Bennett, Legislative Counsel with the ACLU.

Sincerely,

FAIZ SHAKIR,
National Political Director.
KANYA BENNETT,
Legislative Counsel.

Mrs. TORRES. Mr. Speaker, this bill fails to provide explicit privacy protections for the individuals whose personal information will be collected and subject to public release, and jurisdictions that fail to comply with these reporting requirements face the severe penalty of losing 100 percent of their DOJ pretrial services grant funding.

Not only does this bill fail to require consent from the defendants to publicly release information about their alleged crimes and their private information, but it also poses the very real threat of destroying their reputation. These individuals have not been convicted of a crime nor have they had their day in court, given their pretrial status.

These are the concerns that could have been raised if this legislation was given a full, robust debate through committee hearings.

I am disappointed that my amendment to this bill, which would have addressed one of the many abuses perpetrated by the money bail system, was not made in order. My amendment would have prohibited predatory companies from locking people into seemingly lifetime contracts of monthly fees.

We can do better. These are bipartisan issues. For this reason and many other concerns I have with the closed process we are operating under, I must oppose this bill.

Mr. Speaker, I urge my colleagues to oppose the previous question and the rule, and I yield back the balance of my time.

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

We have before us a rule that makes three pieces of legislation in order: a bill that increases transparency for pretrial release programs, legislation that streamlines the review process for mergers and acquisitions, and a resolution of disapproval for the CFPB's harmful indirect auto lending rule.

The Federal Government's greatest responsibility to its citizens is to secure their safety and security. Congress has a duty to recognize when there is a security problem that is putting people in jeopardy, especially when it is a Federal pretrial release program that is putting potentially violent offenders onto the streets without any supervision. The American people deserve to know that their hard-earned tax dollars are being spent in the most responsible way possible. We cannot continue pushing millions of dollars into broken programs that release dangerous individuals back on the street.

Additionally, Congress has a statutory duty to ensure that businesses are not pursuing anticompetitive mergers and acquisitions. However, that does not mean that we should continue fostering the current climate that features the DOJ and FTC maintaining two distinctly different processes for reviewing these transactions. We have the unique opportunity to create certainty for businesses while harmonizing the review process with the SMARTER Act.

Finally, the House must take advantage of this opportunity to rein in the CFPB utilizing the Congressional Review Act's power to overturn harmful regulations on the indirect auto lending industry. Not only will this resolution of disapproval end a detrimental piece of guidance, but it will also send a strong message to regulatory agencies that they cannot overstep their statutory boundaries and will not get away with attempting to cloak major regulatory actions merely as guidance documents.

I urge support of the rule and the underlying legislation.

The material previously referred to by Mrs. TORRES is as follows:

AN AMENDMENT TO H. RES. 872 OFFERED BY MS. TORRES

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

SEC.4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2933) to promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes. 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 Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC.5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2933.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

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

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

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

□ 1300

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.

Mrs. TORRES. 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.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED MEXICAN STATES FOR COOPERATION IN PEACEFUL USES OF NUCLEAR ENERGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115–116)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to subsections 123b. and 123d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the ''Act''), the text of an Agreement between the Government of the United States of America and the Government of the United Mexican States for Cooperation in Peaceful Uses of Nuclear Energy (the ''Agreement''). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. In accordance with section 123 of the Act, a classified annex to the NPAS, prepared by the Secretary of State, in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately. A joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of the export control system of Mexico with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A(w) of the National Security Act of 1947 (50 U.S.C. 3024(w)), is being submitted separately by the Director of National Intelligence.

The Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The Agreement contains all of the provisions required by subsection 123a. of the Act. It provides a comprehensive framework for peaceful nuclear cooperation with Mexico based on a mutual commitment to nuclear nonproliferation. It would permit the transfer of material, equipment (including reactors), components, and information for nuclear research and nuclear power production. It would not permit the transfer of Restricted Data or sensitive nuclear technology. Any special fissionable material transferred could only be in the form of low enriched uranium, with the exception of small quantities of material for use in samples, standards, detectors, or targets or for such other purposes as the parties may agree.

Through the Agreement, Mexico would affirm its intent to rely on existing international markets for nuclear fuel services involving sensitive nuclear technologies (i.e. enrichment and reprocessing), and the United States would affirm its intent to support these international markets and would agree to endeavor to take necessary and feasible actions to ensure a reliable supply of low enriched uranium fuel to Mexico.

The Agreement has a term of 30 years, although it can be terminated by either party on one year's advance written notice. In the event of termination or expiration of the Agreement, key nonproliferation conditions and controls will continue in effect as long as any material, equipment, or component subject to the Agreement remains in the territory of the party concerned or under its jurisdiction or control anywhere, or until such time as the parties agree that such material, equipment, or components are no longer usable for any nuclear activity relevant from the point of view of safeguards.

Mexico has a strong track record on nonproliferation and has consistently reiterated its commitment to nonproliferation. It is a party to the Treaty on the Non-Proliferation of Nuclear Weapons and has concluded a Comprehensive Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency. Mexico has a strong system of nuclear export controls and has harmonized its controls with the Nuclear Suppliers Group guidelines. A more detailed discussion of Mexico's domestic civil nuclear activities and its nuclear nonproliferation policies and practices is provided in the NPAS and its classified annex.

I have considered the views and recommendations of the interested departments and agencies in reviewing the Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both subsections 123b. and 123d. of the Act. My Administration is prepared to begin immediately consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee, as provided in subsection 123b. Upon completion of the 30 days of continuous session review provided for in subsection 123b., the 60 days of continuous session review provided for in subsection 123d. shall commence.

DONALD J. TRUMP.

THE WHITE HOUSE, *May 8, 2018*.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). 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 872; and

Adoption of House Resolution 872, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 5645, STANDARD MERGER AND ACQUISITION REVIEWS THROUGH EQUAL RULES ACT OF 2018; PROVIDING FOR CONSIDERATION OF H.R. 2152, CITIZENS' RIGHT TO KNOW ACT OF 2018; PROVIDING FOR CONSIDERATION OF S.J. RES. 57, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 872) providing for consideration of the bill (H.R. 5645) to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority; providing for consideration of the bill (H.R. 2152) to require States and units of local government receiving funds under grant programs operated by the Department of Justice, which use such funds for pretrial services programs, to submit to the Attorney General a report relating to such program, and for other purposes; and providing for consideration of the joint resolution (S.J. Res. 57) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act'', 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 226, nays 177, not voting 25, as follows:

[Roll No. 169]

YEAS—226

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
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)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
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)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poliquin
Posey
Ratcliffe
Reed
Reichert
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
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
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—177

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

NOT VOTING—25

Adams
Carson (IN)
Clyburn
Cummings
Frankel (FL)
Gutiérrez
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jones
Kuster (NH)
Labrador
Lipinski
Lujan Grisham, M.
McCollum
Messer
Neal
Pittenger
Poe (TX)
Renacci
Richmond
Rogers (KY)
Rokita
Schiff
Waters, Maxine

□ 1329

Mses. HANABUSA, TSONGAS, and WILSON of Florida changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. SCHIFF. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 169.

The SPEAKER pro tempore (Mr. CONAWAY). The question is on the resolution.

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

RECORDED VOTE

Mrs. TORRES. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 227, noes 181, not voting 20, as follows:

[Roll No. 170]

AYES—227

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
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)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
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)
Johnson (LA)
Johnson (OH)

Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Poliquin
Posey
Ratcliffe
Reed
Reichert
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
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
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—181

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
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
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—20

Adams
Carson (IN)
Clyburn
Cummings
Gutiérrez
Jenkins (WV)
Johnson, E. B.
Jones
Kuster (NH)
Labrador
Lipinski
Lujan Grisham, M.
McCollum
Messer
Pittenger
Poe (TX)
Renacci
Rogers (KY)
Rokita
Schrader

□ 1338

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.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 8, 2018.

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

DEAR SPEAKER RYAN: I write to inform you that I will resign from the office of United States Representative effective 11:59 PM EST, Saturday, May 12, 2018. It has been a privilege to serve with you throughout my time in Congress and I thank you for your leadership and friendship throughout those years.

I wish you, and all of our colleagues in Congress, the best as you make the difficult decisions necessary to guide the nation forward and work to improve the lives of all Americans.

Sincerely,

HON. CHARLES W. DENT.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 8, 2018.

Hon. TOM WOLF,
Governor, Commonwealth of Pennsylvania, Harrisburg, PA.

DEAR GOVERNOR WOLF: I am writing to inform you that I will resign from my seat effective at 11:59 PM EST, Saturday, May 12, 2018.

After my family, serving the people of the 15th Congressional District in the United States Congress has been the greatest responsibility and honor of my life. I would like to thank the people of the 15th District and the entire Commonwealth of Pennsylvania for putting their trust and faith in me to serve as their Representative. I am forever grateful.

Sincerely,

HON. CHARLES W. DENT.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. EMMER). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

SMALL BUSINESS DEVELOPMENT CENTER CYBER TRAINING ACT OF 2017

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3170) to amend the Small Business Act to require cyber certification for small business development center counselors, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3170

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 ''Small Business Development Center Cyber Training Act of 2017''.

SEC. 2. DUTIES OF SMALL BUSINESS DEVELOPMENT CENTER COUNSELORS.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(o) CYBER STRATEGY TRAINING FOR SMALL BUSINESS DEVELOPMENT CENTERS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'cyber strategy' means resources and tactics to assist in planning for cybersecurity and defending against cyber risks and cyber attacks; and

''(B) the term 'lead small business development center' means a small business development center that has received a grant from the Administration.

''(2) CERTIFICATION PROGRAM.—The Administrator shall establish a cyber counseling certification program, or approve a similar existing program, to certify the employees of lead small business development centers to provide cyber planning assistance to small business concerns.

''(3) NUMBER OF CERTIFIED EMPLOYEES.—The Administrator shall ensure that the number of employees of each lead small business development center who are certified in providing cyber planning assistance under this subsection is not fewer than the lesser of—

''(A) 5; or

''(B) 10 percent of the total number of employees of the lead small business development center.

''(4) CONSIDERATION OF SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.—In carrying out this subsection, the Administrator, to the extent practicable, shall consider any cyber strategy methods included in the Small Business Development Center Cyber Strategy developed under section 1841(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2662).

''(5) REIMBURSEMENT FOR CERTIFICATION.—

''(A) IN GENERAL.—Subject to the availability of appropriations and subparagraph (B), the Administrator shall reimburse a lead small business development center for costs relating to the certification of an employee of the lead small business development center under the program established under paragraph (2).

''(B) LIMITATION.—The total amount reimbursed by the Administrator under subparagraph (A) may not exceed $350,000 in any fiscal year.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, before we get into the business at hand, I would like to thank our ranking member, Ms. VELÁZQUEZ, all of our minority and majority members on the committee, and their staffs for working in a bipartisan manner to produce this strong package of small business bills.

Our committee strives to be bipartisan and an example, really, for our fellow Members. That can't be done without equal effort on both sides.

Again, I want to thank Ms. VELÁZQUEZ for always working with us—usually working with us—in a bipartisan manner, and I want to thank all the members in the committee for doing that as well.

Mr. Speaker, last week was National Small Business Week all across America. I like to call small businesses our biggest asset as a Nation. And because of the actions of this Congress and our President, small businesses are the most optimistic they have been in more than three decades.

It is vital to our Nation's economy that these small businesses succeed. As technology evolves, so must our small businesses. Just as important as the ice cream shop on Main Street is the online startup company.

We have an obligation to do everything we can to create an economy where all small businesses flourish, because a community that has successful small businesses thrives, and this is good for all of us all across the country.

This leads us to the first piece of legislation before us today.

Advances in information technology, or IT, have helped small businesses to rapidly increase their productivity, enter new markets, and offer consumers new and innovative services and products.

However, IT has advanced so quickly that it has been difficult to keep pace with the ever-growing cyber threats. Unfortunately, small businesses are becoming increasingly targeted by cyber criminals.

While larger companies have more resources to detect and combat cyber attacks, small businesses often do not learn they have been hacked until it is too late. As chairman of the House Committee on Small Business, I have heard too many firsthand accounts of this occurring.

□ 1345

One story that stands out to me is the story of a small-business owner who owned an indoor go-karting facility in Maine and had a number of employees and their families who depended on it. He told our committee that he was struck by a phishing scam. He logged on to his business account, and, to his utter disbelief, his bank account was zero. This happened on a payday, no less. So all these people, who are depending on him to pay them, his bank account is zero because some hacker got into it.

Stories like these are why Congressman EVANS and I have introduced H.R. 3170, the Small Business Development Center Cyber Training Act of 2017. This bipartisan and bicameral legislation would establish a cyber counseling certification program in lead small business development centers, or SBDCs, to assist small businesses with planning and implementing cybersecurity measures to defend against cyber attacks. The cyber assistance offered by trained staff at SBDCs would be provided at no cost, or low cost, to small businesses.

Cyber planning assistance will encourage small businesses to take a more proactive approach to defending themselves from cyber attacks by leveraging the expertise from SBDCs and their partner agencies and institutions, rather than being forced to react after an attack.

When provided with the right resources, small businesses can be assured that they have an effective cyber plan in place. I would like to thank Mr. EVANS for his collaboration on this bill, and I would urge my colleagues to support this bipartisan legislation.

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

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

Let me take this opportunity to thank the chairman, Mr. CHABOT; his staff; and all the members of the Small Business Committee for working in a bipartisan manner.

Mr. Speaker, we continue to hear about cyber breaches and unauthorized data collection. Cybersecurity must be our Nation's top priority, especially as it pertains to the health of our small business community.

The Small Business Committee has taken steps to leverage the Small Business Administration's network of resource partners to assist in education and development of cyber infrastructure. Clearly, we must do more to combat rogue nation-states and cybercriminals.

The key lies in a properly trained workforce at our small business development centers who are tasked in educating, developing, and implementing cybersecurity measures for small companies of all kinds.

H.R. 3170, the Small Business Development Center Cyber Training Act does this by creating a certification program at SBDCs to develop staff who are prepared to combat cyber attacks. Therefore, I urge my colleagues to vote for this bill.

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

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. NORMAN).

Mr. NORMAN. Mr. Speaker, I rise in support of H.R. 3170, the Small Business Development Center Cyber Training Act of 2017. In today's increasingly cyber world, information technology is vital for small businesses. It equips them with the necessary tools and allows them to remain competitive in the global economy.

However, the same tools that allow small businesses to stay on the cutting edge of technology have also caused them to be increasingly targeted by cybercriminals. And, unfortunately, a simple cyber attack can destroy a small business.

According to the National Small Business Association, the average cost of a cyber attack on a small business is $32,000. Many small businesses fear such an attack but lack the resources or the technical knowledge to prevent one. That is where H.R. 3170 comes into play.

This legislation would equip lead small business development centers with a cyber counseling certification program to educate small businesses and help them to implement a cybersecurity plan to protect their business. Due to the high cost of hiring cyber experts, many small businesses could not otherwise afford to take such precautions.

H.R. 3170 would offer cyber assistance at no or low cost to small businesses. This bipartisan bill would help America's nearly 30 million small businesses stay ahead of cyber attacks so that they are not forced to react once it is too late. I urge my colleagues to support this legislation.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. EVANS), who is the ranking member on the Subcommittee on Economic Growth, Tax and Capital Access.

Mr. EVANS. Mr. Speaker, I thank the ranking member for yielding to me. I rise in strong support of H.R. 3170, the Small Business Development Center Cyber Training Act. As a member of the House Small Business Committee, we look to find solutions to problems and address gaps in policy relating to small businesses.

H.R. 3170, which was introduced last year, is yet another example of a tool in the toolbox for small businesses and illustrates the important role that government can play in areas of cybersecurity, which continues to develop and is ripe for direction and collaboration.

This is an extremely important bicameral bill. Our small-business owners and entrepreneurs are the engines that drive people to live, grow, and succeed in our neighborhoods. We know that our small business community faces increasing cyber threats in our ever-changing global economy.

As seen by the glaring number of cyber attacks on American businesses in the past few years, it is critical that we work with the private sector to ensure that these businesses are not stiffed. Many large companies have the resources to fight these attacks by cybercriminals, but a lot of small businesses just do not have the time, money, or expertise.

Every day we hear about issues relating to national security and cyber attacks. They are threats to us all. We are all a part of cyberspace, and we have to ensure that proper safety precautions are in place.

We know that small businesses are especially at risk as it relates to cyber attacks; therefore, we must ensure that all small businesses have the ability to invest in the protection needed, but we must ensure proper coordination. I look forward to working with the chairperson and the ranking member.

Mr. CHABOT. Mr. Speaker, I yield as much time as he may consume to the gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I thank the chairman for his leadership in continuing to fight for small business.

Mr. Speaker, I rise today in support of H.R. 3170, the Small Business Development Center Cyber Training Act of 2017. Cybersecurity has become an increasing issue for small businesses, as many small firms have less time than larger firms to develop cybersecurity defense strategies, fewer staff to monitor systems, and less access to capital to purchase computer security hardware and software.

As more businesses embrace online tools, such as social media, mobile services, and cloud data storage, the need for stronger information security and cybersecurity systems has grown. Small business development centers provide important resources and business assistance programs for entrepreneurs and small-business owners.

In Kansas, small business development centers have aided hundreds of businesses across the State, many of which I visited across the district. H.R. 3170 acknowledges the importance of cybersecurity, as well as the broad reach of SBDCs, and instructs the small-business administrator to establish a cybersecurity program for SBDC employees.

Adding this training to the SBDC toolkit will allow SBDC employees to assist businessowners with cyber planning and strategy and is critical in ensuring that small businesses and entrepreneurs are able to securely compete in today's digital marketplace. I encourage my colleagues to support this legislation.

Ms. VELÁZQUEZ. Mr. Speaker, does the chairman have any further speakers?

Mr. CHABOT. Mr. Speaker, I do not have any further speakers on this bill.

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

Mr. Speaker, expanding access to a skilled cyber workforce focused on small businesses has been a top priority for both sides of the aisle. We cannot let our Nation's job creators go without the assistance they need to develop, implement, and monitor their online presence.

H.R. 3170 will help boost SBDC's ability to engage and protect their small-business clients, and, therefore, also protect the interests of American workers and consumers.

This legislation ensures that our national efforts combating cyber attacks can be utilized by our Nation's most vulnerable businesses. I urge my colleagues to support this bill.

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

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume to close, and I will be brief.

Mr. Speaker, America's small business development centers must have the best possible cybersecurity training so that they can better assist small businesses to detect and combat cyber attacks.

In our committee's efforts to spotlight these serious and growing threats, it has become clear that we need to think outside the box as we work to thwart cyber attacks, and the bipartisan bill before us today is a step in that direction.

I would urge my colleagues to support this legislation, and I want to again thank the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member, for her leadership on this.

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

Ms. JACKSON LEE. Mr. Speaker, I speak in support of H.R. 3170, the Small Business Development Center Cyber Security Training Act of 2017.

H.R. 3170 amends the Small Business Act to require the Small Business Administration to establish a program for certifying employees of small business development centers to provide cybersecurity planning assistance to small businesses.

Cybersecurity threats faced by small businesses are as serious as those faced by large businesses and government agencies.

According to the Better Business Bureau's 2017 report "State of Cybersecurity Among Small Businesses in North America" found that small business owners are becoming more and more aware of cyber threats, continue to be concerned about cyber risks, and are taking some proactive security steps in spite of their unique challenges in regard to cybersecurity.

Global spending on cybersecurity is expected to reach $170 billion by 2020 as businesses and governments work to security networks and the data they contain.

Cyberattacks in the form of ransomware, phishing, point-of sale malware, keyloggers, tech support phone scam, remote access Trojan or rat are some of the threats faced by small businesses.

According to the trade journal Small Business Trends:

43 percent of cyberattacks target small businesses;

14 percent of small businesses rate their ability to mitigate cyber risks, vulnerabilities, and attacks as highly effective;

60 percent of small companies go out of business within six months of a cyberattack;

48 percent of data security breaches are caused by acts of malicious intent, human error, or system failure; and

Small businesses are most concerned about the security of customer data.

Cyber criminals are not only interested in what may be of value on a small business computer or computing device.

Criminals can also see value in taking control of a small business' computers or computing devices to launch an attack on a third party.

These types of attacks can shield the attacker from being identified and cause problems for the small business as networks label their computing devices or web addresses as the source of an attack.

The overall impact of a cybersecurity incident according to the National Institute for Standards and Technology could include:

damage to information or information systems;

regulatory fines and penalties/legal fees;

decreased productivity;

loss of information critical to running your business;

damage to reputation or loss of consumer confidence;

damage to credit and loan worthiness; or

loss of business income.

There is a growing shortage of cybersecurity professionals with over a quarter-million positions remaining unfilled in the U.S. alone and a predicted shortfall of 1.5 million cybersecurity professionals by 2019.

Solutions like the ones contained in the bill before us would increase the number of cybersecurity professionals in the Small Business Administration to serve the cybersecurity needs of small businesses.

The bill would require the SBA to have staff at their Small Business Development Centers (SBDCs) receive training in cybersecurity so that they will be prepared to assist businesses with cybersecurity planning.

Small Business Development Centers provide an array of technical assistance to small businesses and aspiring entrepreneurs.

By supporting business growth, sustainability and enhancing the creation of new businesses entities, SBDCs foster local and regional economic development through job creation and retention.

As a result of the no-cost, extensive, one-on-one, long-term professional business advising, low-cost training and other specialized services SBDC clients receive, the program remains one of the nation's largest small business assistance programs in the federal government.

The SBDCs are comprised of a unique collaboration of SBA federal funds, state and local governments, and private sector resources.

SBDCs provide services through professional business advisors such as:

development of business plans; manufacturing assistance;

financial packaging and lending assistance; exporting and importing support;

disaster recovery assistance; procurement and contracting aid; market research services;

aid to 8(a) firms in all stages; and

healthcare information.

H.R. 3170, would add to this list cybersecurity planning assistance.

I ask my colleagues to join me in supporting this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 3170.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CHANGE ORDER TRANSPARENCY FOR FEDERAL CONTRACTORS ACT

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4754) to amend the Small Business Act to provide prospective construction contractors with information about an agency's policies on the administration of change orders to allow such contractors to make informed business decisions regarding the pricing of bids or proposals, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4754

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 ''Change Order Transparency for Federal Contractors Act''.

SEC. 2. CONSTRUCTION CONTRACT ADMINISTRATION.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

''(w) SOLICITATION NOTICE REGARDING ADMINISTRATION OF CHANGE ORDERS FOR CONSTRUCTION.—

''(1) IN GENERAL.—With respect to any solicitation for the award of a contract for construction anticipated to be awarded to a small business concern, the agency administering such contract shall provide a notice along with the solicitation to prospective bidders and offerors that includes—

''(A) information about the agency's policies or practices in complying with the requirements of the Federal Acquisition Regulation relating to the timely definitization of requests for an equitable adjustment; and

''(B) information about the agency's past performance in definitizing requests for equitable adjustments in accordance with paragraph (2).

''(2) REQUIREMENTS FOR AGENCIES.—An agency shall provide the past performance information described under paragraph (1)(B) as follows:

''(A) For the 3-year period preceding the issuance of the notice, to the extent such information is available.

''(B) With respect to an agency that, on the date of the enactment of this subsection, has not compiled the information described under paragraph (1)(B)—

''(i) beginning 1 year after the date of the enactment of this subsection, for the 1-year period preceding the issuance of the notice;

''(ii) beginning 2 years after the date of the enactment of this subsection, for the 2-year period preceding the issuance of the notice; and

''(iii) beginning 3 years after the date of the enactment of this subsection and each year thereafter, for the 3-year period preceding the issuance of the notice.

''(3) FORMAT OF PAST PERFORMANCE INFORMATION.—In the notice required under paragraph (1), the agency shall ensure that the past performance information described under paragraph (1)(B) is set forth separately for each definitization action that was completed during the following periods:

''(A) Not more than 30 days after receipt of a request for an equitable adjustment.

''(B) Not more than 60 days after receipt of a request for an equitable adjustment.

''(C) Not more than 90 days after receipt of a request for an equitable adjustment.

''(D) Not more than 180 days after receipt of a request for an equitable adjustment.

''(E) More than 365 days after receipt of a request for an equitable adjustment.

''(F) After the completion of the performance of the contract through a contract modification addressing all undefinitized requests for an equitable adjustment received during the term of the contract.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

I thank Mr. BACON for introducing this good government legislation. It is a protransparency bill, and it addresses an often overlooked problem facing small Federal construction contractors. He has been a leader on this issue, and we appreciate that very much because it is an important bill.

Our Federal Government spends billions of dollars on construction annually, an industry that is critical to rebuilding our Nation's aging infrastructure. Small businesses are the lifeblood of construction, performing in various roles across the entire supply chain.

Unfortunately, no construction project is immune to change. Contract modifications or change orders are prevalent in construction contracts—in fact, in virtually all construction contracts. The issue arises when the Federal agency delays executing a change order or issuing payment for the work completed. This leaves the small contractor responsible for financing the work out-of-pocket while also paying for overhead costs.

Extended delays in payment can result in severe financial consequences, sometimes including bankruptcy for small contractors. Agencies currently do not publish information regarding their contract modification processes or payment records, leaving contractors basically in the dark.

Without this information, small prime contractors and subcontractors take an enormous risk every time they submit an offer with an agency that may be acting in less than good faith. Furthermore, small contractors are often unable to develop accurate bid prices if they choose to risk working with the agency.

To offset the risk of delayed or nonpayment, contractors may inflate the cost of their bids, passing on these costs to the taxpayer. Due to the lack of transparency promoting a high-risk, high-stakes environment, working with the Federal Government becomes less appealing. Small contractors are leaving the marketplace in favor of private sector projects, which reduces competition.

This bill, Mr. BACON's bill, takes a critical step forward by requiring the contracting agency to disclose, in their solicitations, the details of their change order procedures, as well as a historical record showing whether change orders are resolved in a timely manner.

□ 1400

Contractors can use this information to decide, first and foremost, if they want to bid; and if so, they can formulate more realistic cost estimates and better prepare for delays in payment.

This bill, Mr. BACON's bill, should also encourage agencies to improve their own internal change order processes, making the Federal construction marketplace attractive again. Ultimately, this legislation will result in expanding the industrial base, improving transparency and government accountability, and ensuring that high-quality structures are built at a reasonable cost.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 4754, the Change Order Transparency for Federal Contractors Act.

As this body seeks ways to foster small business growth and expansion, we must always carefully consider what is being done to maximize entrepreneurs' participation in the Federal marketplace.

As we all know, when small companies are awarded Federal contracts, the result is a win-win. Small businesses provide quality goods and services at affordable prices, meaning a better deal for the government and the taxpayer. At the same time, it can mean significant growth opportunity for small businesses and even the need for new employees.

Yet one longstanding barrier remains to small business participation in the Federal marketplace. The practice of contract modifications drastically delays the payment to contractors

while increasing the risk they take on, and processing change orders slows down other parts of the project, jeopardizing the ability of contractors to meet their obligations.

All of this results in significant financial burdens on contractors, often ending in bankruptcy. This is particularly true when liquidity is slim and the burden of insurance and licensures is high.

H.R. 4754 provides much-needed certainty to prospective Federal construction contractors and subcontractors so they can appropriately plan their operations before submitting their bid for Federal work. This level of transparency is vital to securing the survival of small construction contractors.

Mr. Speaker, I urge all of the Members to support this legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, before I yield to the principal sponsor of this legislation, Mr. BACON, I would like to thank my colleague STEVE KNIGHT from California for working on this as well; and also AL LAWSON from Florida, and also STEPHANIE MURPHY from Florida. So we have two Republicans and two Democrats again working together on this on behalf of small businesses all across the country, and I want to thank all four of those Members for their leadership on this on both sides of the aisle.

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

Mr. BACON. Mr. Speaker, I thank Chairman CHABOT for his leadership for the part of our country that is the engine of our economy, small businesses, of which 47 percent of our American workers are a part. So we appreciate his leadership.

I also want to thank the ranking member for her support of this bill. I appreciate the bipartisan effort to get this bill done. In fact, they both summarized the benefits of this bill very well.

Mr. Speaker, I urge my colleagues to support H.R. 4754, the Change Order Transparency for Federal Contractors Act.

This bill is a commonsense, preventative measure designed to protect small businesses from loss by providing them with critical information up front, prior to submitting a bid on a Federal construction project. Ultimately, and this is the bottom line, this legislation is about the Federal Government paying its bills on time.

Currently, small businesses are flying blind. Before they bid, they have no knowledge of an agency's change order process or history of payment. Construction is an inherently complex industry that inevitably requires changes to the original plan. Construction contractors must deal with this inevitability, but without knowledge of their customer's business practices, they cannot formulate accurate offers or sufficiently plan their operations prior to bidding. As a result, they may unknowingly place their business in jeopardy by working with an agency with a poor track record of timely payment.

This is not a hypothetical problem. In our committee, we have heard businesses over and over again go through this problem. We have to address it. Actual businesses should not have to worry about being paid by the Federal Government on time.

While large contractors may have the resources and capital to absorb some of the loss, small businesses struggle to stay afloat as they wait for payment. In addition to financing the cost of the changed work, small businesses are forced to pay their own bills while waiting for the agency to act. This includes payroll, material costs, and even taxes. This problem is compounded and made even worse for small subcontractors, who are often the last in line to receive payment.

H.R. 4754 will provide prospective Federal construction contractors and subcontractors with the information they need prior to submitting a bid. Agencies would be required to publish, as part of their solicitation, detailed information about their change order processes and timely payment data. This information could preserve the role of small contractors as part of our industrial base by making Federal contracts more attractive to small businesses and make the process more competitive. A more competitive bidding process for Federal contractors would benefit both small businesses and taxpayers.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. LAWSON), who is the lead cosponsor of the bill.

Mr. LAWSON of Florida. Mr. Speaker, I rise in support of H.R. 4754, the Change Order Transparency for Federal Contractors Act. This is an important piece of legislation that guarantees that small businesses have the necessary information regarding change order policies from Federal agencies.

The work of the Federal Government relies heavily on the support of our Nation's small businesses. For everything from construction of important military infrastructure to guaranteeing the proper design for Federal facilities, small businesses are at the center of infrastructure for the Federal workplace.

When taking on Federal contracts, small businesses are also taking a great risk. With Federal funds not always guaranteed in a timely fashion, change orders make the work that small businesses perform for the Federal Government complicated and unpredictable.

H.R. 4754 requires agencies to outline in a clear and defined manner the policies they have regarding change orders. This will make it easier for small businesses to compete for and understand the contracts which they are awarded.

It is vital for small-business owners to not only get a seat at the table, but to also have the same vantage point when competing for Federal contracts. This legislation will alleviate red tape and open more doors for opportunity.

Mr. Speaker, I am proud to work with my colleague DON BACON on this bipartisan piece of legislation, and I encourage my colleagues to support this bill.

Mr. CHABOT. Mr. Speaker, I have no further speakers on the bill at this time, so I reserve the balance of my time.

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

In closing, it is obvious that we must take this historic step in providing transparency in the contract modification process. As we contemplate ways to bolster our infrastructure with the goal of employing millions, H.R. 4754 provides certainty to the many small firms potentially involved in that process.

By requiring Federal agencies to prospectively notify contractors of the agency processes they would be subject to if awarded a contract, the Federal marketplace is once again attainable to small construction contractors.

It is critical that this Congress work to remove barriers preventing small firms from successfully performing Federal work and getting paid for all of the work they perform.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

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

In closing, this legislation provides a level of certainty for small businesses who contract with the Federal Government. It is a commonsense, bipartisan bill that benefits small firms and ought to improve efficiency within the Federal contracting arena.

Mr. Speaker, I again thank Ms. VELÁZQUEZ for her work in a bipartisan manner on this legislation.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MITCHELL). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4754.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WOMEN'S BUSINESS CENTERS IMPROVEMENTS ACT OF 2018

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1680) to amend the Small Business Act to improve the women's business center program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1680

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 ''Women's Business Centers Improvements Act of 2018''.

SEC. 2. AMENDMENTS TO WOMEN'S BUSINESS CENTER PROGRAM.

Section 29 of the Small Business Act (15 U.S.C. 656) is amended to read as follows:

''SEC. 29. WOMEN'S BUSINESS CENTER PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ASSISTANT ADMINISTRATOR.—The term 'Assistant Administrator' means the Assistant Administrator of the Office of Women's Business Ownership established under subsection (l).

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

''(B) a State, regional, or local economic development organization, so long as the organization certifies that grant funds received under this section will not be co-mingled with other funds;

''(C) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), unless such institution is currently receiving a grant under section 21;

''(D) a development, credit, or finance corporation chartered by a State, so long as the corporation certifies that grant funds received under this section will not be comingled with other funds; or

''(E) any combination of entities listed in subparagraphs (A) through (D).

''(3) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY WOMEN.—The term 'small business concern owned and controlled by women' has the meaning given under section 3(n).

''(4) WOMEN'S BUSINESS CENTER.—The term 'women's business center' means the location at which counseling and training on the management, operations (including manufacturing, services, and retail), access to capital, international trade, Government procurement opportunities, and any other matter that is needed to start, maintain, or expand a small business concern owned and controlled by women.

''(b) AUTHORITY.—

''(1) ESTABLISHMENT.—There is established a Women's Business Center Program under which the Administrator may provide a grant to any eligible entity to operate 1 or more women's business centers for the benefit of small business concerns owned and controlled by women.

''(2) USE OF FUNDS.—The women's business centers shall be designed to provide counseling and training that meets the needs of the small business concerns owned and controlled by women, especially socially or economically disadvantaged women, and shall provide—

''(A) financial assistance, including training and counseling in how to apply for and secure business credit and investment capital, preparing and presenting financial statements, and managing cash flow and other financial operations of a small business concern;

''(B) management assistance, including training and counseling in how to plan, organize, staff, direct, and control each major activity and function of a small business concern; and

''(C) marketing assistance, including training and counseling in identifying and segmenting domestic and international market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, and utilizing varying public relations and advertising techniques.

''(3) TYPES OF GRANTS.—

''(A) INITIAL GRANT.—The amount of an initial grant provided under this subsection to an eligible entity shall be not more than $185,000 (as such amount is annually adjusted by the Administrator to reflect the change in inflation).

''(B) ADDITIONAL GRANTS.—

''(i) IN GENERAL.—With respect to an eligible entity that has received a grant, the Administrator may award an additional grant of up to $65,000, to be dispersed after the expiration of the term of the initial grant under this subsection if the Administrator determines that the eligible entity—

''(I) has agreed to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources of 1 non-Federal dollar for each Federal dollar;

''(II) is in good standing with the Women's Business Center Program; and

''(III) has met performance goals for grant term of the initial grant, if applicable.

''(ii) LIMITATIONS.—The Administrator may only award additional grants under clause (i)—

''(I) during the 3rd and 4th quarters of the grant term of the initial grant; and

''(II) from unobligated amounts made available to the Administrator to carry out this section.

''(C) CONTINUATION GRANTS.—The Administrator may award a continuation grant of up to $150,000 to an eligible entity that received an initial grant under subparagraph (A). There shall be no limitation on the number of continuation grants an eligible entity may receive under this section.

''(c) APPLICATION.—

''(1) INITIAL GRANTS AND CONTINUATION GRANTS.—To receive an initial grant or continuation grant under this section, an eligible entity shall submit an application to the Administrator in such form, in such manner, and containing such information as the Administrator may require, including—

''(A) a certification that the eligible entity—

''(i) has designated an executive director or program manager, who may be compensated using grant funds awarded under this section or other sources, to manage the women's business center for which a grant under subsection (b) is sought; and

''(ii) meets the accounting and reporting requirements established under guidance issued by the Director of the Office of Management and Budget for the eligible entity;

''(B) information demonstrating the experience and effectiveness of the eligible entity in—

''(i) provide counseling and training described under subsection (b)(2);

''(ii) providing training and services to a representative number of women who are socially or economically disadvantaged; and

''(iii) working with resource partners of the Administration and other entities; and

''(C) a 5-year plan that—

''(i) includes information relating to the assistance to be provided by the women's business center in the area in which the women's business center is located

''(ii) describes the ability of the eligible entity to meet the needs of the market to be served by the women's business center, including the ability to fundraise to obtain the matching funds required under subsection (e)

''(iii) describes the ability of the eligible entity to provide counseling and training described under subsection (b)(2), including to a representative number of women who are socially or economically disadvantaged.

''(2) RECORD RETENTION.—

''(A) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 5 years.

''(B) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out subparagraph (A).

''(d) SELECTION OF ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—In selecting recipients of initial grants, the Administrator shall consider—

''(A) the experience of the applicant in providing entrepreneurial training;

''(B) the amount of time needed for the applicant to commence operation of a women's business center;

''(C) the capacity of the applicant to meet the accreditation standards established under subsection (l)(4) in a timely manner;

''(D) the ability of the applicant to sustain operations, including its ability to obtain sufficient non-Federal funds, for a 5-year period;

''(E) the proposed location of a women's business center to be operated by the applicant eligible entity and its proximity to Veteran Business Outreach Centers and to recipients of grants under section 8(b)(1) or 21; and

''(F) the population density of the area to be served by the women's business center operated by the applicant eligible entity.

''(2) SELECTION CRITERIA.—

''(A) RULEMAKING.—The Administrator shall issue regulations to specify the criteria for review and selection of applicants under this subsection.

''(B) MODIFICATIONS PROHIBITED AFTER ANNOUNCEMENT.—With respect to a public announcement of any opportunity to be awarded a grant under this section made by the Administrator pursuant to subsection (j)(1), the Administrator may not modify regulations issued pursuant to subparagraph (A) with respect to such opportunity unless required to do so by an Act of Congress or an order of a Federal court.

''(C) RULE OF CONSTRUCTION.—Nothing in this clause may be construed as prohibiting the Administrator from modifying the regulations issued pursuant to subparagraph (A) (after providing an opportunity for notice and comment) as such regulations apply to an opportunity to be awarded a grant under this section that the Administrator has not yet publicly announced pursuant to subsection (j)(1).

''(e) MATCHING REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (5), upon approval of an application submitted under subsection (c), the eligible entity shall agree to obtain contributions from non-Federal sources—

''(A) in the first and second year of the term of an initial grant, if applicable, 1 non-Federal dollar for each 2 Federal dollars; and

''(B) in each year of the term of an initial grant, if applicable, 1 non-Federal dollar for each Federal dollar:

''(2) FORM OF MATCHING FUNDS.—Not more than one-half of non-Federal matching funds described under paragraph (1) may be in the form of in-kind contributions that are budget line items only, including office equipment and office space.

''(3) DISBURSEMENT OF FUNDS.—The Administrator may disburse an amount not greater than 25 percent of the total amount of a grant awarded to an eligible entity before such eligible entity obtains the non-Federal matching funds described under paragraph (1).

''(4) FAILURE TO OBTAIN MATCHING FUNDS.—If an eligible entity fails to obtain the required matching funds described under paragraph (1), the eligible entity may not be eligible to receive advance disbursements pursuant to paragraph (3) during the remainder of the term, if applicable, of a grant awarded under this section. Before approving such eligible entity for an additional grant or continuation grant under this section, the Administrator shall make a written determination, including the reasons for such determination, of whether the Administrator believes that the eligible entity will be able to obtain the requisite funding under paragraph (1) for such additional grant or continuation grant.

''(5) WAIVER OF NON-FEDERAL SHARE.—

''(A) IN GENERAL.—Upon request by an eligible entity, and in accordance with this paragraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal matching funds for a grant awarded under this section for the eligible entity for a fiscal year. The Administrator may not issue such a waiver for more than a total of 2 consecutive fiscal years.

''(B) CONSIDERATIONS.—In determining whether to issue a waiver under this paragraph, the Administrator shall consider—

''(i) the economic conditions affecting the eligible entity;

''(ii) the impact the waiver would have on the credibility of the Women's Business Center Program under this section;

''(iii) the demonstrated ability of the eligible entity to raise non-Federal funds; and

''(iv) the performance of the eligible entity under the initial grant.

''(C) LIMITATION.—The Administrator may not issue a waiver under this paragraph if granting the waiver would undermine the credibility of the Women's Business Center Program.

''(6) EXCESS NON-FEDERAL DOLLARS.—The amount of non-Federal dollars obtained by an eligible entity that is above the amount that is required to be obtained by the eligible entity under this subsection shall not be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto, if such amount of non-Federal dollars—

''(A) is not used as matching funds for purposes of implementing the Women's Business Center Program; and

''(B) was not obtained using funds from the Women's Business Center Program.

''(f) OTHER REQUIREMENTS.—

''(1) SEPARATION OF FUNDS.—An eligible entity shall—

''(A) operate a women's business center under this section separately from other projects, if any, of the eligible entity; and

''(B) separately maintain and account for any grants received under this section.

''(2) EXAMINATION OF ELIGIBLE ENTITIES.—

''(A) REQUIRED SITE VISIT.—Before receiving an initial grant under this section, each applicant shall have a site visit by an employee of the Administration, in order to ensure that the applicant has sufficient resources to provide the services for which the grant is being provided.

''(B) ANNUAL REVIEW.—An employee of the Administration shall—

''(i) conduct an annual review of the compliance of each eligible entity receiving an initial grant under this section with the grant agreement, including a financial examination; and

''(ii) provide such review to the eligible entity as required under subsection (j)(3).

''(3) REMEDIATION OF PROBLEMS.—

''(A) PLAN OF ACTION.—If a review of an eligible entity under paragraph (2)(B) identifies any problems, the eligible entity shall, within 45 calendar days of receiving a copy of such review, provide the Assistant Administrator with a plan of action, including specific milestones, for correcting such problems.

''(B) PLAN OF ACTION REVIEW BY THE ASSISTANT ADMINISTRATOR.—The Assistant Administrator shall review each plan of action submitted under subparagraph (A) within 30 calendar days of receiving such plan. If the Assistant Administrator determines that such plan—

''(i) will bring the eligible entity into compliance with all the terms of the grant agreement, the Assistant Administrator shall approve such plan; or

''(ii) is inadequate to remedy the problems identified in the annual review to which the plan of action relates, the Assistant Administrator shall set forth such reasons in writing and provide such determination to the eligible entity within 15 calendar days of such determination.

''(C) AMENDMENT TO PLAN OF ACTION.—An eligible entity receiving a determination under subparagraph (B)(ii) shall have 30 calendar days from the receipt of the determination to amend the plan of action to satisfy the problems identified by the Assistant Administrator and resubmit such plan to the Assistant Administrator.

''(D) AMENDED PLAN REVIEW BY THE ASSISTANT ADMINISTRATOR.—Within 15 calendar days of the receipt of an amended plan of action under subparagraph (C), the Assistant Administrator shall either approve or reject such plan and provide such approval or rejection in writing to the eligible entity.

''(E) APPEAL OF ASSISTANT ADMINISTRATOR DETERMINATION.—

''(i) IN GENERAL.—If the Assistant Administrator rejects an amended plan under subparagraph (D), the eligible entity shall have the opportunity to appeal such decision to the Administrator, who may delegate such appeal to an appropriate officer of the Administration.

''(ii) OPPORTUNITY FOR EXPLANATION.—Any appeal described under clause (i) shall provide an opportunity for the eligible entity to provide, in writing, an explanation of why the eligible entity's amended plan remedies the problems identified in the annual review conducted under paragraph (2)(B).

''(iii) NOTICE OF DETERMINATION.—The Administrator shall provide to the eligible entity a determination of the appeal, in writing, not later than 15 calendar days after the eligible entity files an appeal under this subparagraph.

''(iv) EFFECT OF FAILURE TO ACT.—If the Administrator fails to act on an appeal made under this subparagraph within the 15-day period specified under clause (iii), the eligible entity's amended plan of action submitted under subparagraph (C) shall be deemed to be approved.

''(4) TERMINATION OF GRANT.—

''(A) IN GENERAL.—The Administrator shall terminate a grant to an eligible entity under this section if the eligible entity fails to comply with—

''(i) a plan of action approved by the Assistant Administrator under paragraph (3)(B)(i); or

''(ii) an amended plan of action approved by the Assistant Administrator under paragraph (3)(D)or approved on appeal under paragraph (3)(E).

''(B) APPEAL OF TERMINATION.—An eligible entity shall have the opportunity to challenge the termination of a grant under subparagraph (A) on the record and after an opportunity for a hearing.

''(C) FINAL AGENCY ACTION.—A determination made pursuant to subparagraph (B) shall be considered final agency action for the purposes of chapter 7 of title 5, United States Code.

''(5) SOLICITATION.—Notwithstanding any other provision of law, an eligible entity may—

''(A) solicit cash and in-kind contributions from private individuals and entities to be used to operate a women's business center; and

''(B) use amounts made available by the Administrator under this section for the cost of such solicitation and management of the contributions received.

''(6) NOTICE AND COMMENT REQUIRED.—The Administrator may only make a change to the standards by which an eligible entity obtains or maintains grants under this section, the standards for accreditation, or any other requirement for the operation of a women's business center if the Administrator first provides notice and the opportunity for public comment, as set forth in section 553(b) of title 5, United States Code, without regard to any exceptions provided for under such section.

''(g) PROGRAM EXAMINATION.—

''(1) IN GENERAL.—The Administration shall—

''(A) develop and implement an annual programmatic and financial examination of each eligible entity, under which each such eligible entity shall provide to the Administration—

''(i) an itemized cost breakdown of actual expenditures for costs incurred during the preceding year; and

''(ii) documentation regarding the amount of matching assistance from non-Federal sources obtained and expended by the eligible entity during the preceding year in order to meet the requirements of subsection (e) and, with respect to any in-kind contributions described in subsection (e)(2) that were used to satisfy the requirements of subsection (e), verification of the existence and valuation of those contributions; and

''(B) analyze the results of each such examination and, based on that analysis, make a determination regarding the programmatic and financial viability of each women's business center operated by the eligible entity.

''(2) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to award a continuation grant, the Administrator—

''(A) shall consider the results of the most recent examination of the eligible entity under paragraph (1); and

''(B) shall determine if—

''(i) the eligible entity has failed to provide, or provided inadequate, information under paragraph (1)(A); or

''(ii) the eligible entity has failed to provide any information required to be provided by the women's business center for purposes of the management report under subsection (k)(1), or the information provided by the center is inadequate.

''(h) CONTRACT AUTHORITY.—

''(1) ELIGIBLE ENTITY.—An eligible entity that receives a grant under this section may enter into a contract with a Federal department or agency to provide specific assistance to small business concerns owned and controlled by women and other underserved small business concerns, if performance of such a contract does not hinder the ability of the eligible entity to carry out the terms of a grant received under this section.

''(2) ADMINISTRATOR.—The authority of the Administrator to enter into contracts shall be in effect for each fiscal year only to the extent and in the amounts as are provided in advance in appropriations Acts. After the Administrator has entered into a contract, either as a grant or a cooperative agreement, with any applicant under this section, the Administrator shall not suspend, terminate, or fail to renew or extend any such contract unless the Administrator provides the applicant with written notification setting forth

the reasons therefore and affords the applicant an opportunity for a hearing, appeal, or other administrative proceeding under chapter 5 of title 5, United States Code.

''(i) PRIVACY REQUIREMENTS.—

''(1) IN GENERAL.—A women's business center may not disclose the name, address, or telephone number of any individual or small business concern receiving assistance under this section without the consent of such individual or small business concern, unless—

''(A) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

''(B) the Administrator considers such a disclosure to be necessary for the purpose of conducting a financial audit of a women's business center, except that such a disclosure shall be limited to the information necessary for such audit.

''(2) ADMINISTRATION USE OF INFORMATION.—This subsection shall not—

''(A) restrict Administration access to women's business center data; or

''(B) prevent the Administration from using information about individuals who use women's business centers (other than the information described in subparagraph (A)) to conduct surveys of such individuals.

''(3) REGULATIONS.—The Administrator shall issue regulations to establish standards for disclosures for purposes of a financial audit under paragraph (1)(B).

''(j) NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.—The Administrator shall provide the following:

''(1) A public announcement of any opportunity to be awarded grants under this section, to include the selection criteria under subsection (d) and any applicable regulations.

''(2) To any applicant for a grant under this section that failed to obtain such a grant, an opportunity to debrief with the Administrator to review the reasons for the applicant's failure.

''(3) To an eligible entity that receives an initial grant under this section, if a site visit or review of the eligible entity is carried out by an officer or employee of the Administration (other than the Inspector General), a copy of the site visit report or evaluation, as applicable, within 30 calendar days of the completion of such visit or evaluation.

''(k) REPORTS.—

''(1) MANAGEMENT REPORT.—

''(A) IN GENERAL.—The Administrator shall prepare and submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report on the effectiveness of women's business centers operated through a grant awarded under this section.

''(B) CONTENTS.—Each report submitted under paragraph (1) shall include information concerning, with respect to each women's business center established pursuant to a grant awarded under this section—

''(i) the number of individuals receiving assistance;

''(ii) the number of startup business concerns formed;

''(iii) the gross receipts of assisted concerns;

''(iv) the employment increases or decreases of assisted concerns;

''(v) to the maximum extent practicable, increases or decreases in profits of assisted concerns; and

''(vi) the most recent analysis, as required under subsection (g)(1)(B), and the subsequent determination made by the Administration under that subsection.

''(2) STUDY AND REPORT ON REPRESENTATION OF WOMEN.—

''(A) STUDY.—The Administrator shall periodically conduct a study to identify industries, as defined under the North American Industry Classification System, underrepresented by small business concerns owned and controlled by women.

''(B) REPORT.—Not later than 3 years after the date of enactment of this subsection, and every 5 years thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the results of each study under paragraph (1) conducted during the 5-year period ending on the date of the report.

''(l) OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—

''(1) ESTABLISHMENT.—There is established within the Administration an Office of Women's Business Ownership, which shall be responsible for the administration of the Administration's programs for the development of women's business enterprises (as defined in section 408 of the Women's Business Ownership Act of 1988 (15 U.S.C. 7108)). The Office of Women's Business Ownership shall be administered by an Assistant Administrator, who shall be appointed by the Administrator.

''(2) ASSISTANT ADMINISTRATOR OF THE OFFICE OF WOMEN'S BUSINESS OWNERSHIP.—

''(A) QUALIFICATION.—The position of Assistant Administrator shall be a Senior Executive Service position under section 3132(a)(2) of title 5, United States Code. The Assistant Administrator shall serve as a noncareer appointee (as defined in section 3132(a)(7) of that title).

''(B) DUTIES.—The Assistant Administrator shall administer the programs and services of the Office of Women's Business Ownership and perform the following functions:

''(i) Recommend the annual administrative and program budgets of the Office and eligible entities receiving a grant under the Women's Business Center Program.

''(ii) Review the annual budgets submitted by each eligible entity receiving a grant under the Women's Business Center Program.

''(iii) Collaborate with other Federal departments and agencies, State and local governments, not-for-profit organizations, and for-profit organizations to maximize utilization of taxpayer dollars and reduce (or eliminate) any duplication among the programs overseen by the Office of Women's Business Ownership and those of other entities that provide similar services to women entrepreneurs.

''(iv) Maintain a clearinghouse to provide for the dissemination and exchange of information between women's business centers.

''(v) Serve as the vice chairperson of the Interagency Committee on Women's Business Enterprise and as the liaison for the National Women's Business Council.

''(3) MISSION.—The mission of the Office of Women's Business Ownership shall be to assist women entrepreneurs to start, grow, and compete in global markets by providing quality support with access to capital, access to markets, job creation, growth, and counseling by—

''(A) fostering participation of women entrepreneurs in the economy by overseeing a network of women's business centers throughout States and territories;

''(B) creating public-private partnerships to support women entrepreneurs and conduct outreach and education to small business concerns owned and controlled by women; and

''(C) working with other programs of the Administrator to—

''(i) ensure women are well-represented in those programs and being served by those programs; and

''(ii) identify gaps where participation by women in those programs could be increased.

''(4) ACCREDITATION PROGRAM.—

''(A) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this paragraph, the Administrator shall publish standards for a program to accredit eligible entities that receive a grant under this section.

''(B) PUBLIC COMMENT; TRANSITION.—Before publishing the standards under subparagraph (A), the Administrator—

''(i) shall provide a period of not less than 60 days for public comment on such standards; and

''(ii) may not terminate a grant under this section absent evidence of fraud or other criminal misconduct by the recipient.

''(C) CONTRACTING AUTHORITY.—The Administrator may provide financial assistance, by contract or otherwise, to a relevant national women's business center representative association to provide assistance in establishing the standards required under subparagraph (A) or for carrying out an accreditation program pursuant to such standards.

''(m) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, $21,750,000 for each of fiscal years 2019 through 2022.

''(2) USE OF AMOUNTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made available under this subsection for fiscal year 2018, and each fiscal year thereafter, may only be used for grant awards and may not be used for costs incurred by the Administration in connection with the management and administration of the program under this section.

''(B) EXCEPTIONS.—Of the amount made available under this subsection for a fiscal year, the following amounts shall be available:

''(i) For the first fiscal year beginning after the date of the enactment of this subparagraph, 2.65 percent.

''(ii) For the second fiscal year beginning after the date of the enactment of this subparagraph and each fiscal year thereafter through fiscal year 2022, 2.5 percent.

''(3) EXPEDITED ACQUISITION.—Notwithstanding any other provision of law, the Administrator may use such expedited acquisition methods as the Administrator determines to be appropriate to carry out this section, except that the Administrator shall ensure that all small business sources are provided a reasonable opportunity to submit proposals.''.

SEC. 3. EFFECT ON EXISTING GRANTS.

(a) TERMS AND CONDITIONS.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this Act, except that the nonprofit organization may not apply for a continuation of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this Act.

(b) LENGTH OF CONTINUATION GRANT.—The Administrator of the Small Business Administration may award a grant under section 29(m) of the Small Business Act, as amended by this Act, to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, for the period—

(1) beginning on the day after the last day of the grant agreement under such section 29(m); and

(2) ending at the end of the third fiscal year beginning after the date of enactment of this Act.

SEC. 4. REGULATIONS.

Not later than 270 days after the date of the enactment of this Act, the Administrator of Small Business Administration shall publish in the Federal Register such regulations as are necessary to carry out section 29 of the Small Business Act (15 U.S.C. 656), as amended by this Act. The Administrator shall accept public comments on such proposed regulations for a period of not less than 60 days.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1680, the Women's Business Centers Improvements Act of 2018, which was introduced by the gentleman from California (Mr. KNIGHT), who is also the chairman of the Subcommittee on Contracting and Workforce and who has been a very active member of that committee for quite some time now.

This legislation makes key updates to the Small Business Administration's Office of Women's Business Ownership and the Women's Business Center, or WBC, program.

The WBC program provides grants to over 100 nonprofit organizations across the country to provide socially and economically disadvantaged women with technical and managerial training designed to meet the needs of women entrepreneurs. Many women's business centers offer training at night, or in multiple languages, to ensure that all women have the small business knowledge, tools, and support they need when creating or sustaining a business.

Last year, WBCs trained over 114,000 clients and advised over 26,000 individuals. This training and counseling contributed to the creation of more than 17,000 new small businesses in the United States. Clearly, the Women's Business Center program has a profound impact not only in our local communities, but also on our Nation's economy overall.

H.R. 1680 authorizes the WBC program, requiring specific conditions for participation and application criteria for organizations seeking a WBC grant. While many of these requirements have been met in practice, the inclusion of these standards in statute allows for increased congressional oversight and program confidence.

H.R. 1680 also increases the WBC grant award to reflect inflation. This minor increase provides new and existing women's business centers with the support they need to provide an effective course curriculum to small business clients.

Additionally, H.R. 1680 requires the SBA to establish a WBC accreditation program. This program, similar to the successful small business development center accreditation program, will ensure pragmatic consistency among WBC locations and guarantee that each center is providing women entrepreneurs with effective training opportunities. These updates will ensure that the funds supporting the WBC program are used efficiently and to foster economic growth.

H.R. 1680 is an important step to ensuring that the more than 11.6 million women-owned small businesses continue to grow and that the next generation of women entrepreneurs have the opportunity to pursue business creation. For that reason, I urge my colleagues to support H.R. 1680.

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

□ 1415

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

Mr. Speaker, I rise in support of H.R. 1680, the Women's Business Centers Improvements Act of 2018.

Small businesses are as diverse as our Nation, and the SBA entrepreneurial development initiatives are no different.

Women's business centers, or WBCs, are a critical initiative for female entrepreneurs. WBCs provide in-depth counseling, training, and mentoring to small firms, resulting in substantial economic impact.

Women businessowners have used this program to develop business plans, obtain financing, and expand their operations. As more women turn to entrepreneurship as a career path, it is critical this initiative remain in place to close these gaps.

Women are the fastest growing sector of entrepreneurs, and as more women establish home-based businesses, downsize from corporate executive positions, these centers are crucial in addressing the whole range of women's entrepreneurial needs.

The Women's Business Centers Improvements Act builds upon their success by creating uniformity through accreditation for WBCs and increasing maximum grant levels to ensure they have the resources to meet the growing demand for their services.

We all agree that women businessowners offer invaluable contributions to our economy, so we must step up to help them, and this legislation achieves that.

Mr. Speaker, I urge Members to support this legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, before I turn it over to the gentleman, the principal sponsor of the bill, I want to thank our colleague Mr. LAWSON for his work on this bill as well. Again, we have been bipartisan, Republican and Democrat, working together to advance, in this case, women entrepreneurs all across the country.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. KNIGHT), the chairman of the Subcommittee on Contracting and Workforce.

Mr. KNIGHT. Mr. Speaker, I thank the chairman for his leadership. I thank Mr. LAWSON and Ranking Member VELÁZQUEZ for their leadership in this very, very important measure.

Mr. Speaker, I do rise today in support of the Women's Business Centers Improvements Act of 2018.

I introduced H.R. 1680 so that the outstanding growth our country has seen within women's entrepreneurship within the last decade can continue.

Over the last 10 years, the number of women-owned small businesses has increased by 114 percent. With women-owned firms growing more than two and a half times faster than the average business, we must recognize women entrepreneurs as a driving force in the U.S. economy.

The legislation modernizes both the Small Business Administration's Office of Women's Business Ownership and the SBA's Women's Business Centers program.

The Office of Women's Business Ownership administers the grant program that funds women's business centers. H.R. 1680 would require consistent standards and application requirements for grant recipients, ensuring that those centers have the ability to provide women with small business counseling and training.

The bill also institutes commonsense oversight requirements, standards for continued funding, and conditions of participation. This will increase congressional accountability and responsibility.

H.R. 1680 will allow millions of women throughout the country continued access to reliable and effective small business resources.

Mr. Speaker, I urge my colleagues to support H.R. 1680.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. LAWSON), the ranking member of the Subcommittee on Health and Technology.

Mr. LAWSON of Florida. Mr. Speaker, I rise in support of H.R. 1680, the Women's Business Centers Improvements Act. This is a critically important piece of legislation that supports our Nation's women-owned small businesses.

Women's Business Centers support women-owned businesses through counseling and technical assistance. This

network of educational centers is the nexus for women who are either looking to start a business or looking to grow their business to the next level.

This bill clarifies the work of the Office of Women's Business Ownership within the SBA to help women entrepreneurs compete in a global market.

Specifically, there are more than 11.6 million small businesses owned by women, who employ nearly 9 million people. Further, there are roughly 5.4 million businesses owned by women of color, employing over 2.1 million people.

I am proud to work with my colleague, Mr. STEPHEN KNIGHT, on a bipartisan bill to increase the level of support for women businessowners so that we can guarantee that women entrepreneurs have the on-the-ground resources for them to strive.

I might point out that in the committee we learned that women-owned businesses are the fastest growing businesses in America.

Mr. Speaker, I encourage my colleagues to support this nonpartisan bill, H.R. 1680.

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

Mr. Speaker, the United States has over 9 million women-owned firms, over one-third of all firms. Our economy relies heavily on women-owned small businesses, as they generate over $1 trillion in revenues and employ over 8 million workers. H.R. 1680 ensures that they have access to the tools they need to succeed.

Because nearly half of aspiring women businessowners report a lack of available mentors, we must take action to break down the barriers hindering their success. That is why it is imperative for us to pass this legislation today, ensuring access to mentorship and professional guidance to the fastest growing group of entrepreneurs.

Today's measure is endorsed by the Association of Women's Business Centers, along with other organizations.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

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

Mr. Speaker, almost 40 percent of all firms in the United States are women-owned, and over the last 10 years that number has more than doubled.

It is important to recognize women entrepreneurs as a driving force in the American economy. This legislation, I think, goes a long way in recognizing that and actually improving it over the upcoming years.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 1680, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SMALL BUSINESS DEVELOPMENT CENTERS IMPROVEMENT ACT OF 2018

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1702) to amend the Small Business Act to improve the small business development centers program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1702

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

SECTION 1. SHORT TITLE.

This subtitle may be cited as the ''Small Business Development Centers Improvement Act of 2018''.

SEC. 2. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 as section 48; and

(2) by inserting after section 46 the following new section:

''SEC. 47. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

''(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall only deliver entrepreneurial development services, entrepreneurial education, support for the development and maintenance of clusters, or business training through a program authorized under—

''(A) section 7(j), 7(m), 8(a), 8(b)(1), 21, 22, 29, or 32 of this Act; or

''(B) sections 358 or 389 of the Small Business Investment Act of 1958.

''(2) EXCEPTION.—This section shall not apply to services provided to assist small business concerns owned by an Indian tribe (as such term is defined in section 8(a)(13)).

''(b) ANNUAL REPORT.—Beginning on the first December 1 after the date of the enactment of this subsection, the Administrator shall annually report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on all entrepreneurial development activities undertaken in the current fiscal year through a program described in subsection (a). Such report shall include—

''(1) a description and operating details for each program and activity;

''(2) operating circulars, manuals, and standard operating procedures for each program and activity;

''(3) a description of the process used to award grants under each program and activity;

''(4) a list of all awardees, contractors, and vendors (including organization name and location) and the amount of awards for the current fiscal year for each program and activity;

''(5) the amount of funding obligated for the current fiscal year for each program and activity; and

''(6) the names and titles for those individuals responsible for each program and activity.''.

SEC. 3. MARKETING OF SERVICES.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(o) NO PROHIBITION OF MARKETING OF SERVICES.—The Administrator shall not prohibit applicants receiving grants under this section from marketing and advertising their services to individuals and small business concerns.''.

SEC. 4. DATA COLLECTION.

(a) IN GENERAL.—Section 21(a)(3)(A) of the Small Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

(1) by striking ''as provided in this section and'' and inserting ''as provided in this section,''; and

(2) by inserting before the period at the end the following: '', and (iv) governing data collection activities related to applicants receiving grants under this section''.

(b) ANNUAL REPORT ON DATA COLLECTION.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by section 3 of this Act, is further amended by adding at the end the following:

''(p) ANNUAL REPORT ON DATA COLLECTION.—The Administrator shall report annually to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on any data collection activities related to the Small Business Development Center Program.''.

(c) WORKING GROUP TO IMPROVE DATA COLLECTION.—

(1) ESTABLISHMENT AND STUDY.—The Administrator of the Small Business Administration shall establish a group to be known as the ''Data Collection Working Group'' consisting of members from entrepreneurial development grant recipients associations and organizations and officials from the Small Business Administration, to carry out a study to determine the best way to capture data collection and create or revise existing systems dedicated to data collection.

(2) REPORT.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Data Collection Working Group shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing the findings and determinations made in carrying out the study required under paragraph (1), including—

(A) recommendations for revising existing data collection practices; and

(B) a proposed plan for the Small Business Administration to implement such recommendations.

SEC. 5. FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.

Section 21(a)(3) of the Small Business Act (15 U.S.C. 648(a)(3)(C)), as amended by section 4, is further amended by adding at the end the following:

''(D) FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.—A small business development center that participates in a private partnership or cosponsorship with the Administration shall not be prohibited from collecting fees or other income related to the operation of such a private partnership or cosponsorship.''.

SEC. 6. EQUITY FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Subclause (I) of section 21(a)(4)(C)(v) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(v)) is amended to read as follows:

''(I) IN GENERAL.—Of the amounts made available in any fiscal year to carry out this section, not more than $600,000 may be used by the Administration to pay expenses enumerated in subparagraphs (B) through (D) of section 20(a)(1).''.

SEC. 7. CONFIDENTIALITY REQUIREMENTS.

Section 21(a)(7)(A) of the Small Business Act (15 U.S.C. 648(a)(7)(A)) is amended by inserting after ''under this section'' the following: ''to any State, local, or Federal agency, or to any third party''.

SEC. 8. LIMITATION ON AWARD OF GRANTS TO SMALL BUSINESS DEVELOPMENT CENTERS.

(a) IN GENERAL.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by section 4, is further amended—

(1) in subsection (a)(1), by striking ''any women's business center operating pursuant to section 29,''; and

(2) by adding at the end the following:

''(q) LIMITATION ON AWARD OF GRANTS.—Except for not-for-profit institutions of higher education, and notwithstanding any other provision of law, the Administrator may not award grants (including contracts and cooperative agreements) under this section to any entity other than those that received grants (including contracts and cooperative agreements) under this section prior to the date of the enactment of this subsection, and that seek to renew such grants (including contracts and cooperative agreements) after such date.''.

(b) RULE OF CONSTRUCTION.—The amendments made by this section may not be construed as prohibiting a women's business center (as described under section 29 of the Small Business Act (15 U.S.C. 656)) from receiving a subgrant from an entity receiving a grant under section 21 of the Small Business Act (15 U.S.C. 648).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 1702, the Small Business Development Centers Improvement Act of 2018, will expand the resources available to America's entrepreneurs through the nearly 1,000 small business development centers, or SBDCs, located throughout the country.

Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. EVANS) for introducing this bill.

Over 99 percent of all businesses in our Nation are small, and those businesses employ nearly 60 million Americans. The U.S. economy depends on the success of small businesses. Providing support to entrepreneurs and small-business owners must be a priority for this Congress, and SBDCs offer that support.

Small business development centers offer low- or no-cost business counseling and training to aspiring entrepreneurs and existing small-business owners alike. The support offered at these centers ranges from creating the first business plan, commercial advertising and branding, and navigating the international trade market.

The importance of the assistance offered at SBDCs really cannot be overstated. In fiscal year 2017 alone, last year, SBDCs trained over 245,000 clients and advised over 188,000 individuals, resulting in the creation of over 14,000 new small businesses and the infusion of roughly $5.6 billion into the American economy.

For every Federal dollar appropriated to the SBDC program, $43.50 in new capital was generated. The legislation we are discussing today will only serve to increase the impact of SBDCs.

H.R. 1702 includes a number of commonsense updates to the SBDC program. This legislation will increase awareness of the technical and managerial training opportunities offered at centers by allowing SBDCs to market and advertise their products and services. This simple change can have a significant impact on our economy by ensuring that those entrepreneurs seeking to start or scale a business know where to turn for help.

Additionally, H.R. 1702 will strengthen the SBDC accreditation process and ensure client information remains confidential. These changes facilitate the efficient and effective use of taxpayer dollars at every SBDC.

Through H.R. 1702, this legislation, we will provide greater support to the men and women throughout our country who are working tirelessly to create jobs, enhance our communities, and support our economies.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 1702, the Small Business Development Centers Improvement Act.

Whether it is helping to create a business plan, navigate the procurement process, market a new product, or identify international trade opportunities, the SBA's entrepreneurial development programs provide an array of services to help small firms navigate obstacles, grow, and thrive.

Entrepreneurs, therefore, significantly benefit from having tools to identify, fiscally plan for, and maintain critical business improvements.

Entrepreneurs located throughout the country, including in underserved rural and inner-city communities, benefit from accessible, affordable technical assistance. This reduces their isolation from buyers and other businesses.

In addition to outreach, hands-on counseling is critical for businesses to obtain information pertinent to their local market and capacities. That is why SBDCs are so critical to our local communities.

Today's bill modernizes and strengthens the SBDC network by improving data collection, streamlining collaboration, reducing paperwork, and allowing additional outreach on marketing to be performed.

H.R. 1702 is a comprehensive bill providing necessary steps forward to advance our Nation's entrepreneurial economic system.

Mr. Speaker, I urge Members to support this legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. COMER), a very valuable member of the Small Business Committee.

Mr. COMER. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, H.R. 1709, the Small Business Development Centers Improvement Act of 2018, expands support for entrepreneurs by modernizing the statute governing the Small Business Administration's Small Business Development Centers program.

Small Business Development Centers, or SBDCs, provide entrepreneurs and small-business owners with business counseling and training at roughly 1,000 locations throughout the country.

These centers, spanning rural and urban areas alike, have had an immense impact on the American economy. As a result of SBDC training, a new job is created every 5½ minutes, a new business is created every 30 minutes, and $100,000 in sales is generated every 8.2 minutes.

The SBDC program is providing small-business owners and entrepreneurs with the resources they need to be successful.

H.R. 1702 further expands support for entrepreneurs by ensuring that the SBA focuses its resources and attention on congressionally authorized entrepreneurial development programs, such as SBDCs. This provision will promote operational efficiency within these programs, to the benefit of both small-business owners and taxpayers.

Additionally, this legislation allows SBDCs to market or advertise their business counseling and training programs. This will increase the impact of SBDCs by ensuring that entrepreneurs and small-business owners are aware of the resources available to them.

□ 1430

Finally, H.R. 1702 includes minor programmatic updates, including confidentiality requirements and data collection requirements that allow for the continued integrity of the SBDC program overall.

Small business development centers serve an important purpose in furthering entrepreneurship and business creation throughout the United States. H.R. 1702 allows SBDCs to continue to fulfill this purpose.

I urge my colleagues to support the bill.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. EVANS), who is the ranking member of the Subcommittee on Economic Growth, Tax and Capital Access and also a sponsor of the bill.

Mr. EVANS. Mr. Speaker, I rise in support of H.R. 1702, the Small Business Development Centers Improvement Act of 2018.

I want to thank my colleague, Congressman BLUM of Iowa, for working with me to help American small businesses via this critical Small Business Development Centers bill.

The small business development centers provide assistance in Philadelphia and nationwide to small businesses and aspiring entrepreneurs throughout the United States and its territories. SBDCs help entrepreneurs from Ogontz Avenue to Broad Street to realize the dream of owning a business and help existing businesses remain competitive in a complex, ever-changing global marketplace.

SBDCs are hosted by leading universities and State economic development agencies and funded, in part, through a partnership with SBA. SBA advisers provide aspiring and current small-business owners a variety of free business counseling and low-cost training centers and business development plans, manufacturing assistance, financial packaging, lending assistance, exporting and importing support, disaster recovery assistance, procurement and contracting aid, market research help and program support, and healthcare guidance.

Mr. Speaker, last week, at the Enterprise Center Minority Business Development Center in Philadelphia, run by an incredibly capable woman by the name of Della Clark, I had the honor of hosting the gentlewoman from New York, Ranking Member VELÁZQUEZ, at a roundtable for women entrepreneurs.

I want to take a moment to thank the participants, the audience, and the community, as this is the type of collaboration necessary to ensure that we use small businesses and the SBDCs as another tool in the toolbox to help revitalize our city and remake it. Roundtables like those last week in Philadelphia are where entrepreneurs can share information, resources, and expertise, like background on small business development centers, with those who may not be aware of them.

Access to capital is key for entrepreneurs in Philadelphia that look to start new business ventures and expand existing ones. Economic development, both long- and short-term, is a by-product of small businesses receiving affordable financing to help them create jobs in their local communities.

This is an example of small business firms utilizing other financial programs, but this is where SBDCs are so critical because they help us make the connection to financing that otherwise would be missing. Traditional lending sources often ignore many communities around the country, resulting in small business utilization of other financial programs.

SBDCs began in 1976 with only eight participating universities. In fiscal year 2017, 188,225 entrepreneurs now receive business consulting, over 245,000 entrepreneurs are trained, and 14 million new businesses were created because of SBDCs.

Sometimes small businesses will utilize traditional sources such as their local banks, but many small bank owners will attest, sometimes avenues are not available, and that is where the SBA can be a lifesaver. Among the improvements we can make, we can work to make SBDCs better through the grants, loans, and other assistance to make SBDCs the garage of today, so that when an entrepreneur from North Philly has a dream, guts, and moxie to walk into one, they are not laughed at and turned away or spurned away. Let's face it: many of the people who have that dream and inspiration are not experts at spreadsheets, invoice management, and contract jargon.

This is a goal, as a member of this important committee, to ensure that any American can use the SBDC as a garage, like the Steve Jobs, Bill Gates, and Angela Riches of the world. Mr. Speaker, that is what the American Dream is all about.

I look forward to working with my colleague, Congressman BLUM, and other members of the committee. I especially want to thank all of the members of the committee working together because, when areas such as North Philly, West Philly, South Philly, Narberth, Bala Cynwyd, or Ardmore have investment and capital needs, they know where to go and whom to ask for the SBA assistance.

Mr. Speaker, I thank my colleagues, and I encourage them to vote ''yes'' on H.R. 1702.

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

There is no question that we need to support the cornerstone of the SBA's entrepreneurial programs, the small business development centers. H.R. 1702 does just that by updating marketing strategies and requiring more reporting so we can better understand the system provided to our constituencies.

Today's bill is endorsed by America's SBDCs, an association representing the 63 SBDC networks and their nearly 1,000 centers.

I would like to thank Representative EVANS for leading this bill and all his efforts to improve the program. I would also like to thank Halimah Locke and Veena Srinivasa for their dedicated work on this legislation.

I urge Members to support this bill, and I yield back the balance of my time.

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

Mr. Speaker, I want to commend the gentleman from Pennsylvania (Mr. EVANS) for his leadership on this and many other issues on the committee.

The small business development centers, SBDCs, serve, really, a very important purpose in furthering entrepreneurship and business creation throughout the United States. Many of the Nation's nearly 30 million small businesses have utilized the services offered by the SBDCs, and this bill improves and modernizes that network.

I again want to commend Mr. EVANS for formulating this bill, pushing it through, and now taking this important step in actually entering it into the law.

I urge my colleagues to support this bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 1702, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SPURRING BUSINESS IN COMMUNITIES ACT OF 2017

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4111) to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4111

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 ''Spurring Business in Communities Act of 2017''.

SEC. 2. IMPROVING THE NUMBER OF SMALL BUSINESS INVESTMENT COMPANIES IN UNDERLICENSED STATES.

The Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) is amended—

(1) in section 103 (15 U.S.C. 662)—

(A) in paragraph (18)(E), by striking ''and'' at the end;

(B) in paragraph (19), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(20) the term 'underlicensed State' means a State in which the number of licensees per capita is less than the median number of licensees per capita for all States, as calculated by the Administrator.'';

(2) in section 301(c) (15 U.S.C. 681(c))—

(A) in paragraph (3)—

(i) in subparagraph (B)(iii), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) shall give first priority to an applicant that is located in an underlicensed State with below median financing, as determined by the Administrator.''; and

(B) in paragraph (4)(B)—

(i) by striking clause (i);

(ii) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(iii) by amending clause (i), as so redesignated, to read as follows:

''(i) is located in a State that—

''(I) is not served by a licensee; or

''(II) is an underlicensed State; and''; and

(3) in section 308(g) (15 U.S.C. 687(g))—

(A) in paragraph (2)—

(i) in subparagraph (B), by inserting ''and licensing'' after ''financing'';

(ii) by redesignating subparagraphs (C) through (J) as subparagraphs (E) through (L), respectively; and

(iii) by inserting after subparagraph (B) the following:

''(C) Steps taken by the Administration to improve the number of licensees in underlicensed States.

''(D) The Administration's plans to support States that seek to increase the number of licensees in the State.''; and

(B) in paragraph (3)—

(i) in subparagraph (C), by striking ''and'' at the end;

(ii) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(E) the geographic dispersion of licensees in each State compared to the population of the State, identifying underlicensed States.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, despite an improving lending environment, small businesses still face challenges financing their projects and their growth plans. Equity markets, which are regularly used by large businesses, often prove out of reach for the Nation's true job creators, small businesses.

To bridge the equity gap that exists for small businesses, the SBA offers the Small Business Investment Company program, also known as the SBIC program. The program utilizes a privately owned, SBA-regulated and licensed model to deliver equity to the Nation's smallest businesses.

While running at zero cost to the American taxpayer, the SBIC program creates a unique public-private partnership that translates into job expansion and job creation.

In fiscal year 2017, SBIC financing supported more than 100,000 jobs all across the Nation—100,000 jobs, so this is an important program. However, the program can do more.

With only about 300 SBICs currently operating in the United States, the program often does not geographically extend to those who truly need it the most. To address this problem, the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) introduced H.R. 4111, the Spurring Business in Communities Act of 2017, which expands the reach of the SBIC program by requiring the SBA to focus on areas that are underrepresented in the program as they review and license SBIC applications.

I want to thank the gentlewoman for her leadership on this particular issue. She has definitely taken a very important and active role on it in looking for ways to expand the reach of the SBIC program.

I urge my colleagues to vote ''yes'' on this commonsense reform within H.R. 4111, and I reserve the balance of my time.

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

I rise in support of H.R. 4111, a bill that will improve access to the Small Business Investment Company program in underserved communities.

SBICs have assisted thousands of high-growth companies over the years by ''filling the gap'' in the capital markets for businesses that have outgrown the SBA's 7(a) guaranteed loan program but remain too small or too risky for traditional private equity markets to bear.

SBICs operate in a unique public-private partnership with SBA. Once managers raise enough private capital, the agency provides matching funds which are pooled together and invested in high-growth small businesses.

To maximize the impact of the program, it is essential that SBIC licenses are processed in a timely fashion and also geographically spread across the country. As it stands now, nearly three-quarters of SBICs are located in just 10 States.

Today's bill will address these points by prioritizing those license applications from managers that will invest in our underserved communities.

The SBIC program has done a lot of good for the small business community over the years. Enabling SBA to fast-track more capital into the hands of small-business owners is a top priority for both sides of the aisle in this committee.

I urge Members to support this legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS), the principal sponsor of this legislation, who also has the number four ranking leadership role on the Republican side of the House.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I thank the chairman for yielding, and I appreciate his leadership on all of these bills that are going to help our small businesses.

I rise today in support of my legislation, the Spurring Business in Communities Act, which would encourage investment in small businesses through incentivizing small business investment companies, or SBICs, to form and invest in communities all across the country.

Small businesses are the backbone of our community and our economy, providing two out of three new jobs in America. SBICs serve an important function in providing capital and support to startup businesses across the country and are a significant source of job creation. A 2017 Library of Congress study found that SBIC-backed small businesses created 3 million new jobs and supported an additional 6.5 million.

According to SBA's most recent report, SBICs reported nearly $1 billion in financing during the fourth quarter of 2017 and created more than 16,000 jobs. Over the same period, SBICs were able to finance 210 companies across the U.S., including 25 businesses in low- and moderate-income areas, and 12 businesses owned by women, minorities, or veterans.

Many well-known companies have achieved success through support from SBICs, including Apple, Buffalo Wild Wings, Costco, and Staples.

While SBICs invest broadly in businesses across the country, the location of the firms receiving SBA backing is not geographically diverse. Instead, SBICs are primarily located in larger urban and financial centers, which only further concentrates lending and investment activity. Washington, my home State, has none. In fact, 72 percent of SBICs are located in 10 States.

□ 1445

This legislation will change that by easing the process for SBICs to form in underlicensed States like Washington, invest in people in our community, grow our local economy, and create jobs.

This legislation would increase SBA's accountability to Congress and the public by exempting SBIC applicants from underlicensed States from the full capital requirements, give first priority to new applications from underlicensed or underfinanced States, and establish annual reporting requirements on SBA's progress to increase the geographical dispersement of SBICs.

Last week was Small Business Week, an important reminder of the critical role small businesses play in our communities.

The Small Business Investment Act of 1958 declares a mission to ensure the provision of Small Business Investment Company financing to all of the country. This legislation will help meet that mission by encouraging SBICs to form in the underlicensed areas and invest in all corners of the country, which is why I encourage my colleagues on both sides of the aisle to support the Spurring Business in Communities Act.

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

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

Mr. Speaker, I would first like to recognize and thank Mrs. MCMORRIS RODGERS for her leadership on this really very important issue which will make a big difference in various parts of our country in the area of small business development and job creation. The SBIC program continues to produce results for job creators and job seekers.

To ensure the program reaches underserved areas, H.R. 4111, Mrs.

McMORRIS RODGERS' bill, institutes reforms to show how the SBA reviews and processes SBIC applications and to improve those. This legislation will grow the reach of a program that currently runs at zero cost to the American taxpayer, which is certainly a mark that we should all recognize and appreciate.

Mr. Speaker, I want to thank Mrs. McMORRIS RODGERS for this important legislation.

I urge my colleagues to support H.R. 4111, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4111.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MAIN STREET EMPLOYEE OWNERSHIP ACT OF 2018

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5236) to expand opportunities available to employee-owned business concerns through Small Business Administration loan programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5236

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 ''Main Street Employee Ownership Act of 2018''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms ''Administration'' and ''Administrator'' means the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''cooperative'' means an entity that is determined to be a cooperative by the Administrator, in accordance with applicable Federal and State laws and regulations;

(3) the term ''employee-owned business concern'' means—

(A) a cooperative in which employees are eligible for membership; and

(B) a qualified employee trust;

(4) the terms ''qualified employee trust'' and ''small business concern'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632); and

(5) the term ''small business development center'' means a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648).

SEC. 3. EXPANSION OF 7(A) LOANS.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) in paragraph (15)—

(A) in subparagraph (A)—

(i) by striking ''this subsection to qualified employee trusts'' and inserting ''this subsection—

''(i) to qualified employee trusts'';

(ii) in clause (i), as so designated—

(I) by inserting '', and for any transaction costs associated with purchasing,'' after ''purchasing'';

(II) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(ii) to a small business concern under a plan approved by the Administrator, if the proceeds from the loan are only used to make a loan to a qualified employee trust, and for any transaction costs associated with making that loan, that results in the qualified employee trust owning at least 51 percent of the small business concern.'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by inserting ''or by the small business concern'' after ''the trustee of such trust'';

(ii) in clause (ii), by striking ''and'' at the end;

(iii) in clause (iii), by striking the period at the end and inserting '', and''; and

(iv) by adding at the end the following:

''(iv) with respect to a loan made to a trust, or to a cooperative in accordance with paragraph (35)—

''(I) a seller of the small business concern may remain involved as an officer, director, or key employee of the small business concern when a qualified employee trust or cooperative has acquired 100 percent of ownership of the small business concern; and

''(II) any seller of the small business concern who remains as an owner of the small business concern, regardless of the percentage of ownership interest, shall be required to provide a personal guarantee by the Administration.''; and

(C) by adding at the end the following:

''(F) A small business concern that makes a loan to a qualified employee trust under subparagraph (A)(ii) is not required to contain the same terms and conditions as the loan made to the small business concern that is guaranteed by the Administration under such subparagraph.

''(G) With respect to a loan made to a qualified employee trust under this paragraph, or to a cooperative in accordance with paragraph (35), the Administrator may, as deemed appropriate, elect to not require any mandatory equity to be provided by the qualified employee trust or cooperative to make the loan.''; and

(2) by adding at the end the following:

''(35) LOANS TO COOPERATIVES.—

''(A) DEFINITION.—In this paragraph, the term 'cooperative' means an entity that is determined to be a cooperative by the Administrator, in accordance with applicable Federal and State laws and regulation.

''(B) AUTHORITY.—The Administration shall guarantee loans made to a cooperative for the purpose described in paragraph (15).''.

(b) DELEGATION OF AUTHORITY TO PREFERRED LENDERS.—Section 5(b)(7) of the Small Business Act (15 U.S.C. 634(b)(7)) is amended by inserting '', including loans guaranteed under paragraph (15) or (35) of section 7(a)'' after ''deferred participation loans''.

SEC. 4. SMALL BUSINESS INVESTMENT COMPANY PROGRAM OUTREACH.

The Administrator shall provide outreach and educational materials to companies licensed under section 301(c) of the Small Business Investment Act of 1958 (15 U.S.C. 681(c)) to increase the use of funds to make investments in company transitions to employee-owned business concerns.

SEC. 5. SMALL BUSINESS MICROLOAN PROGRAM OUTREACH.

The Administrator shall provide outreach and educational materials to intermediaries under section 7(m) of the Small Business Act (15 U.S.C. 636(m)) to increase the use of funds to make loans to employee-owned business concerns, including transitions to employee-owned business concerns.

SEC. 6. SMALL BUSINESS DEVELOPMENT CENTER OUTREACH AND ASSISTANCE.

(a) ESTABLISHMENT.—The Administrator shall establish a Small Business Employee Ownership and Cooperatives Promotion Program to offer technical assistance and training on the transition to employee ownership through cooperatives and qualified employee trusts.

(b) SMALL BUSINESS DEVELOPMENT CENTERS.—

(1) IN GENERAL.—In carrying out the program established under subsection (a), the Administrator shall enter into agreements with small business development centers under which the centers shall—

(A) provide access to information and resources on employee ownership through cooperatives or qualified employee trusts as a business succession strategy;

(B) conduct training and educational activities; and

(C) carry out the activities described in subparagraph (U) of section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)).

(2) ADDITIONAL SERVICES.—Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended—

(A) in subparagraph (S), by striking ''and'' at the end;

(B) in subparagraph (T), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(U) encouraging and assisting the provision of succession planning to small business concerns with a focus on transitioning to cooperatives, as defined in section 7(a)(35), and qualified employee trusts (collectively referred to in this subparagraph as 'employee-owned business concerns'), including by—

''(i) providing training to individuals to promote the successful management, governance, or operation of a business purchased by those individuals in the formation of an employee-owned business concern;

''(ii) assisting employee-owned business concerns that meet applicable size standards established under section 3(a) with education and technical assistance with respect to financing and contracting programs administered by the Administration;

''(iii) coordinating with lenders on conducting outreach on financing through programs administered by the Administration that may be used to support the transition of ownership to employees;

''(iv) supporting small business concerns in exploring or assessing the possibility of transitioning to an employee-owned business concern; and

''(v) coordinating with the cooperative development centers of the Department of Agriculture, the land grant extension network, the Manufacturing Extension Partnership, community development financial institutions, employee ownership associations and service providers, and local, regional and national cooperative associations.''.

SEC. 7. INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator (or a designee of the Administrator) shall coordinate and chair an interagency working group, which shall—

(1) develop recommendations on how Federal programs can promote, support, and increase the number of employee-owned business concerns;

(2) ensure coordination with Federal agencies and national and local employee ownership, cooperative, and small business organizations; and

(3) publish a report on the activities of the interagency working group that is indexed and maintained for public review.

(b) MEETINGS.—The interagency working group shall meet at such times as determined necessary by the, but not less than biannually. Such meetings may occur in person or via electronic resources.

SEC. 8. AMENDMENT TO REPORT TO CONGRESS ON STATUS OF EMPLOYEE-OWNED FIRMS.

Section 7(a)(15)(E) of the Small Business Act (15 U.S.C. 636(a)(15)(E)) is amended by striking

''Administration.'' and inserting ''Administration, which shall include—

''(i) the total number of loans made to employee-owned business concerns that were guaranteed by the Administrator under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) or section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696), including the number of loans made—

''(I) to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

''(II) to cooperatives in which employees are eligible for membership;

''(ii) the total number of financings made to employee-owned business concerns by companies licensed under section 301(c) of the Small Business Investment Act of 1958 (15 U.S.C. 696(c)), including the number of financings made—

''(I) to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

''(II) to cooperatives in which employees are eligible for membership; and

''(iii) any outreach and educational activities conducted by the Administration with respect to employee-owned business concerns.''.

SEC. 9. REPORT ON COOPERATIVE LENDING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that cooperatives have a unique business structure and are unable to access the lending programs of the Administration effectively due to loan guarantee requirements that are incompatible with the business structure of cooperatives.

(b) STUDY AND REPORT.—

(1) STUDY.—The Administrator, in coordination with lenders, stakeholders, and Federal agencies, shall study and recommend practical alternatives for cooperatives that will satisfy the loan guarantee requirements of the Administration.

(2) REPORT.—Not later than 120 days after the date of enactment of this Act, the Administrator shall submit to Congress the recommendations developed under paragraph (1) and a plan to implement such recommendations.

SEC. 10. AMENDMENT TO DEFINITION OF QUALIFIED EMPLOYEE TRUST.

Section 3(c)(2)(A)(ii) of the Small Business Act (15 U.S.C. 632(c)(2)(A)(ii)) is amended to read as follows:

''(ii) which provides that each participant is entitled to direct the plan trustee as to the manner of how to vote the qualified employer securities (as defined in section 4975(e)(8) of the Internal Revenue Code of 1986), which are allocated to the account of such participant with respect to a corporate matter which (by law or charter) must be decided by a vote conducted in accordance with section 409(e) of the Internal Revenue Code of 1986; and''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, ownership structures of businesses come in numerous shapes and sizes. Whether they follow a traditional model or an employee-owned structure, small businesses across the Nation continue to face a difficult lending environment.

Although the SBA bridges the gap for many of the Nation's small firms, 100-percent-employee-owned firms face uncertainty as they navigate the SBA's 7(a) Loan Program.

To strengthen the 7(a) Loan Program for employee-owned small businesses and worker cooperatives, Ranking Member VELÁZQUEZ introduced H.R. 5236, the Main Street Employee Ownership Act of 2018.

In order to provide clarity for program participants, H.R. 5236 would update reporting statistics to ensure accurate data is captured.

The bill also codifies ownership transition plans.

Additionally, H.R. 5236 requires the SBA's resource partners to have educational material available to explain the nuances of these uniquely structured businesses.

Although the requirements for personal guarantees within the 7(a) Loan Program prove challenging to some of these business structures, H.R. 5236 importantly preserves this hallmark and requires the SBA to work with industry representatives to develop ways to satisfy the guarantee while reducing its burdens.

Employee-owned small businesses are an important part of the small business ecosystem. We must continue to streamline the processes and procedures in place at the SBA for all small businesses. H.R. 5236, Ms. VELÁZQUEZ's legislation, is a step in the right direction that provides clarity for employee-owned small businesses and worker cooperatives.

Mr. Speaker, I want to thank the ranking member, Ms. VELÁZQUEZ, who has spearheaded this legislation.

I urge my colleagues to vote ''yes'' on H.R. 5236, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 5236, the Main Street Employee Ownership Act, a commonsense measure to improve SBA's lending and training programs to enable employees to purchase the companies they work for.

As baby boomers near retirement, the country faces a substantial dilemma: Roughly half of privately held companies are owned by baby boomers, and fewer than 15 percent have a formal exit plan in place. And while it is wonderful to think that family members will take over the business, this is a relatively rare occurrence. Some will be bought out; others will close. This will have significant secondary economic impacts that will ripple through our local communities.

Mr. Speaker, I have been working with Senator GILLIBRAND's office to help address this looming problem.

The bill before us will reward workers and invest in our Main Street economy by improving the lending landscape for employee-owned businesses, such as employee stock ownership plans and co-ops.

There are 7,000 such companies in existence all over the Nation, contributing to our local communities and economies. However, businesses seeking to transition to employee-owned status face difficulty in obtaining adequate capital to cover the oftentimes prohibitive costs.

The SBA was authorized to loan to ESOPs in 1979. Unfortunately, this tool has rarely been used due to misunderstanding of the business structure and cumbersome transition requirements.

This bill seeks to align common industry practices with SBA protocols to encourage more lending to ESOPs and co-ops. By codifying current SBA standards of practice and easing some burdensome guarantee restrictions, it is my hope we will keep local enterprises in their communities, saving jobs along the way and preventing economic dislocation for many workers.

Mr. Speaker, I urge Members to support this legislation, and I reserve the balance of my time.

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

Ms. VELAZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Speaker, I thank the gentlewoman from New York for yielding me time.

Mr. Speaker, I rise in support of H.R. 5236, the Main Street Employment Act of 2018, that will help employee-owned companies.

Employee ownership is an important part of helping workers build wealth. In addition to the income gap in this country, we also have a wealth gap. When a company does well, everybody should do well, not just the investors.

This bill helps promote employee-owned businesses by making changes to the Small Business Administration's loan program that helps employee-owned businesses access capital. It is currently a barrier in the rules that actually gives a disadvantage to employee-owned businesses, when, as a society, as a Nation, we should be encouraging employee ownership.

The SBA Loan Guarantee Program is often the only financing that many small businesses can get early on to get off the ground. This bill would open up SBA lending for cooperatives, which we often call co-ops, and also strengthens the lending program for ESOPs, which is another form of employee-owned company.

There is a very successful ESOP in the district I am honored to represent called New Belgium Brewery that makes among the best beer in the world.

This bill also creates a small business employee ownership and cooperative program, which helps employers and employees understand how to create employee-owned businesses, providing some of the help for succession planning, coordinating with other programs

to help employee-owned businesses succeed.

Employee-owned businesses are anchor businesses in our communities. They provide good, stable jobs and help employees build value and wealth over time and participate in the governance of the company. They align the incentives of workers with owners and management and are good for overall economic productivity as well.

This bill builds on the bipartisan language that I helped secure in the omnibus appropriations bill directing the SBA to encourage employee ownership. Passing this bill will make those changes in the 1-year spending bill that expires September 30 permanent.

Mr. Speaker, I encourage all Members to support this very important piece of bipartisan legislation.

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

Mr. Speaker, there is no question that we need to support our Main Street small businesses, especially those that fall outside of traditional business structures. H.R. 5236 does just that by requiring more training and clarifying lending protocols.

Today's bill is endorsed by at least 25 organizations, including America's SBDCs, the American Sustainable Business Council, the Association for Enterprise Opportunity, ESCA, and a variety of co-ops and employee-owner associations.

Mr. Speaker, I would like to thank Justin Pelletier and Jon Cardinal for their tireless work on this complex topic.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

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

Mr. Speaker, I will conclude by saying that employee-owned businesses really populate the streets and neighborhoods of many cities across this Nation. They are unique in form but face many of the same hurdles that other small businesses face.

H.R. 5236 streamlines how employee-owned businesses operate under the important rules of the SBA 7(a) Loan Program. While preserving important characteristics of the program, H.R. 5236 will help employee-owned businesses as they seek capital to grow, expand, and create much-needed jobs.

Mr. Speaker, I want to again thank and commend the ranking member, Ms. VELÁZQUEZ, for her leadership on this legislation.

I would urge my colleagues to support H.R. 5236, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HILL). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 5236, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SMALL BUSINESS 7(A) LENDING OVERSIGHT REFORM ACT OF 2018

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4743) to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4743

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 ''Small Business 7(a) Lending Oversight Reform Act of 2018''.

SEC. 2. DEFINITIONS.

In this Act, the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively.

SEC. 3. CODIFICATION OF THE OFFICE OF CREDIT RISK MANAGEMENT AND THE LENDER OVERSIGHT COMMITTEE.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 as section 49; and

(2) by inserting after section 46 the following new sections:

''SEC. 47. OFFICE OF CREDIT RISK MANAGEMENT.

''(a) ESTABLISHMENT.—There is established within the Administration the Office of Credit Risk Management (in this section referred to as the 'Office').

''(b) DUTIES.—The Office shall be responsible for supervising—

''(1) any lender making loans under section 7(a) (in this section referred to as a '7(a) lender');

''(2) any Lending Partner or Intermediary participant of the Administration in a lending program of the Office of Capital Access of the Administration; and

''(3) any small business lending company or a non-Federally regulated lender without regard to the requirements of section 23.

''(c) DIRECTOR.—

''(1) IN GENERAL.—The Office shall be headed by the Director of the Office of Credit Risk Management (in this section referred to as the 'Director'), who shall be a career appointee in the Senior Executive Service (as defined in section 3132 of title 5, United States Code).

''(2) DUTIES.—The Director shall be responsible for oversight of the lenders and participants described in subsection (b), including by conducting periodic reviews of the compliance and performance of such lenders and participants.

''(d) SUPERVISION DUTIES FOR 7(a) LENDERS.—With respect to 7(a) lenders, an employee of the Office shall—

''(1) be present for and supervise any such review that is conducted by a contractor of the Office on the premise of the 7(a) lender; and

''(2) supervise any such review that is not conducted on the premise of the 7(a) lender.

''(e) ENFORCEMENT AUTHORITY AGAINST 7(a) LENDERS.—

''(1) INFORMAL ENFORCEMENT AUTHORITY.—The Director may take an informal enforcement action against a 7(a) lender if the Director finds that the 7(a) lender has violated a statutory or regulatory requirement under section 7(a) or any requirement in a Standard Operating Procedures Manual or Policy Notice related to a program or function of the Office of Capital Access.

''(2) FORMAL ENFORCEMENT AUTHORITY.—

''(A) IN GENERAL.—With the approval of the Lender Oversight Committee established under section 48, the Director may take a formal enforcement action against any 7(a) lender if the Director finds that the 7(a) lender has violated—

''(i) a statutory or regulatory requirement under section 7(a), including a requirement relating to credit elsewhere; or

''(ii) any requirement described in a Standard Operating Procedures Manual or Policy Notice, related to a program or function of the Office of Capital Access.

''(B) ENFORCEMENT ACTIONS.—An enforcement action imposed on a 7(a) lender by the Director under subparagraph (A) shall be based on the severity or frequency of the violation and may include assessing a civil monetary penalty against the 7(a) lender in an amount that is not greater than $250,000.

''(3) APPEAL BY LENDER.—A 7(a) lender may appeal an enforcement action imposed by the Director described in this subsection to the Office of Hearings and Appeals established under section 5(i) or to an appropriate district court of the United States.

''(f) REGULATIONS.—Not later than 1 year after the date of the enactment of this section, the Administrator shall issue regulations, after opportunity for notice and comment, to carry out subsection (e).

''(g) SERVICING AND LIQUIDATION RESPONSIBILITIES.—During any period during which a 7(a) lender is suspended or otherwise prohibited from making loans under section 7(a), the 7(a) lender shall remain obligated to maintain all servicing and liquidation activities delegated to the lender by the Administrator, unless otherwise specified by the Director.

''(h) PORTFOLIO RISK ANALYSIS OF 7(a) LOANS.—

''(1) IN GENERAL.—The Director shall annually conduct a risk analysis of the portfolio of the Administration with respect to all loans guaranteed under section 7(a).

''(2) REPORT TO CONGRESS.—On December 1, 2018, and every December 1 thereafter, the Director shall submit to Congress a report containing the results of each portfolio risk analysis conducted under paragraph (1) during the fiscal year preceding the submission of the report, which shall include—

''(A) an analysis of the overall program risk of loans guaranteed under section 7(a);

''(B) an analysis of the program risk, set forth separately by industry concentration;

''(C) without identifying individual 7(a) lenders by name, a consolidated analysis of the risk created by the individual 7(a) lenders responsible for not less than 1 percent of the gross loan approvals set forth separately for the year covered by the report by—

''(i) the dollar value of the loans made by such 7(a) lenders; and

''(ii) the number of loans made by such 7(a) lenders;

''(D) steps taken by the Administrator to mitigate the risks identified in subparagraphs (A), (B), and (C);

''(E) the number of 7(a) lenders, the number of loans made, and the gross and net dollar amount of loans made;

''(F) the number and dollar amount of total losses, the number and dollar amount of total purchases, and the percentage and dollar amount of recoveries at the Administration;

''(G) the number and type of enforcement actions recommended by the Director;

''(H) the number and type of enforcement actions approved by the Lender Oversight Committee established under section 48;

''(I) the number and type of enforcement actions disapproved by the Lender Oversight Committee; and

''(J) the number and dollar amount of civil monetary penalties assessed.

''(i) BUDGET SUBMISSION AND JUSTIFICATION.—The Director shall annually provide, in writing, a fiscal year budget submission for the Office and a justification for such submission to the Administrator. Such submission and justification shall—

''(1) include salaries and expenses of the Office and the charge for the lender oversight fees;

''(2) be submitted at or about the time of the budget submission by the President under section 1105(a) of title 31; and

''(3) be maintained in an indexed form and made available for public review for a period of not less than 5 years beginning on the date of submission and justification.

''SEC. 48. LENDER OVERSIGHT COMMITTEE.

''(a) ESTABLISHMENT.—There is established within the Administration the Lender Oversight Committee (in this section referred to as the 'Committee').

''(b) MEMBERSHIP.—The Committee shall consist of at least 8 members selected by the Administrator, of which—

''(1) 3 members shall be voting members, 2 of whom shall be career appointees in the Senior Executive Service (as defined in section 3132 of title 5, United States Code); and

''(2) the remaining members shall be nonvoting members who shall serve in an advisory capacity on the Committee.

''(c) DUTIES.—The Committee shall—

''(1) review reports on lender oversight activities;

''(2) review formal enforcement action recommendations of the Director of the Office of Credit Risk Management with respect to any lender making loans under section 7(a) and any Lending Partner or Intermediary participant of the Administration in a lending program of the Office of Capital Access of the Administration;

''(3) in carrying out paragraph (2) with respect to formal enforcement actions taken under subsection (d) or (e) of section 23, vote to recommend or not recommend action to the Administrator or a designee of the Administrator;

''(4) in carrying out paragraph (2) with respect to any formal enforcement action not specified under subsection (d) or (e) of section 23, vote to approve, disapprove, or modify the action;

''(5) review, in an advisory capacity, any lender oversight, portfolio risk management, or program integrity matters brought by the Director; and

''(6) take such other actions and perform such other functions as may be delegated to the Committee by the Administrator.

''(d) MEETINGS.—

''(1) IN GENERAL.—The Committee shall meet as necessary, but not less frequently than on a quarterly basis.

''(2) REPORTS.—The Committee shall submit to the Administrator a report detailing each meeting of the Committee, including if the Committee does or does not vote to approve a formal enforcement action of the Director of the Office of Credit Risk Management with respect to a lender.''.

(b) SUPERVISION DUTIES FOR 7(A) LENDERS.—Effective January 1, 2019, subsection (d) of section 47 (as added by subsection (a)) is amended to read as follows:

''(d) SUPERVISION DUTIES FOR 7(A) LENDERS.—

''(1) REVIEWS.—With respect to 7(a) lenders, an employee of the Office shall—

''(A) be present for and supervise any such review that is conducted by a contractor of the Office on the premise of the 7(a) lender; and

''(B) supervise any such review that is not conducted on the premise of the 7(a) lender.

''(2) REVIEW REPORT TIMELINE.—

''(A) IN GENERAL.—Notwithstanding any other requirements of the Office or the Administrator, the Administrator shall develop and implement a review report timeline which shall—

''(i) require the Administrator to—

''(I) deliver a written report of the review to the 7(a) lender not later than 60 business days after the date on which the review is concluded; or

''(II) if the Administrator expects to submit the report after the end of the 60-day period described in clause (i), notify the 7(a) lender of the expected date of submission of the report and the reason for the delay; and

''(ii) if a response by the 7(a) lender is requested in a report submitted under subparagraph (A), require the 7(a) lender to submit responses to the Administrator not later than 45 business days after the date on which the 7(a) lender receives the report.

''(B) EXTENSION.—The Administrator may extend the time frame described in subparagraph (A)(i)(II) with respect to a 7(a) lender as the Administrator determines necessary.''.

(c) TRANSFER OF FUNCTIONS.—

(1) OFFICE OF CREDIT RISK MANAGEMENT.—All functions of the Office of Credit Risk Management of the Small Business Administration, including the personnel, assets, and obligation of the Office of Credit Risk Management, as in existence on the day before the date of the enactment of this Act, shall be transferred to the Office of Credit Risk Management established under section 47 of the Small Business Act, as added by subsection (a).

(2) LENDER OVERSIGHT COMMITTEE.—All functions of the Lender Oversight Committee of the Small Business Administration, including the personnel, assets, and obligations of the Lender Oversight Committee, as in existence on the day before the date of the enactment of this Act, shall be transferred to the Lender Oversight Committee established under section 48 of the Small Business Act, as added by subsection (a).

(d) DEEMING OF NAME.—

(1) OFFICE OF CREDIT RISK MANAGEMENT.—Any reference in a law, regulation, guidance, document, paper, or other record of the United States to the Office of Credit Risk Management of the Small Business Administration shall be deemed a reference to the Office of Credit Risk Management, established under section 47 of the Small Business Act, as added by subsection (a).

(2) LENDER OVERSIGHT COMMITTEE.—Any reference in a law, regulation, guidance, document, paper, or other record of the United States to the Lender Oversight Committee of the Small Business Administration shall be deemed a reference to the Lender Oversight Committee, established under section 48 of the Small Business Act, as added by subsection (a).

(e) TECHNICAL AMENDMENT.—Section 3(r)(2) of the Small Business Act (15 U.S.C. 632(r)(2)) is amended by striking ''regulated SBA lender'' each place it appears in heading and text and inserting ''regulated lender''.

SEC. 4. DEFINITION OF CREDIT ELSEWHERE.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by striking section 3(h) (15 U.S.C. 632(h)) and inserting the following:

''(h) The term 'credit elsewhere' means—

''(1) for the purposes of this Act (except as used in section 7(b)), the availability of credit on reasonable terms and conditions to the individual loan applicant from non-Federal, non-State, or non-local government sources, considering factors associated with conventional lending practices, including—

''(A) the business industry in which the loan applicant operates;

''(B) whether the loan applicant is an enterprise that has been in operation for a period of not more than 2 years;

''(C) the adequacy of the collateral available to secure the requested loan;

''(D) the loan term necessary to reasonably assure the ability of the loan applicant to repay the debt from the actual or projected cash flow of the business; and

''(E) any other factor relating to the particular credit application, as documented in detail by the lender, that cannot be overcome except through obtaining a Federal loan guarantee under prudent lending standards; and

''(2) for the purposes of section 7(b), the availability of credit on reasonable terms and conditions from non-Federal sources taking into consideration the prevailing rates and terms in the community in or near where the applicant business concern transacts business, or the applicant homeowner resides, for similar purposes and periods of time.''; and

(2) in section 7(a)(1)(A)(i) (15 U.S.C. 636(a)(1)(A)(i)), by inserting ''The Administrator has the authority to direct, and conduct oversight for, the methods by which lenders determine whether a borrower is able to obtain credit elsewhere.'' before ''No financial assistance''.

(b) TECHNICAL AMENDMENT.—Section 18(b) of the Small Business Act (15 U.S.C. 647(b)) is amended to read as follows:

''(b) As used in this Act, the term 'agricultural enterprises' means those small business concerns engaged in the production of food and fiber, ranching, and raising of livestock, aquaculture, and all other farming and agricultural-related industries.''.

SEC. 5. AUTHORITY FOR ADMINISTRATOR TO INCREASE AMOUNT FOR GENERAL BUSINESS LOANS.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

(2) by adding at the end the following new subsection:

''(g) AUTHORITY TO INCREASE AMOUNT OF GENERAL BUSINESS LOANS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3) and with respect to fiscal year 2019 and each fiscal year thereafter, if the Administrator determines that the amount of commitments by the Administrator for general business loans authorized under section 7(a) for a fiscal year could exceed the limit on the total amount of commitments the Administrator may make for those loans under this Act, an appropriations Act, or any other provision of law, the Administrator may make commitments for those loans for that fiscal year in an aggregate amount equal to not more than 115 percent of that limit.

''(2) NOTICE REQUIRED BEFORE EXERCISING AUTHORITY.—Not later than 30 days before the date on which the Administrator intends to exercise the authority under paragraph (1), the Administrator shall submit notice of intent to exercise the authority to—

''(A) the Committee on Small Business and Entrepreneurship and the Subcommittee on Financial Services and General Government of the Committee on Appropriations of the Senate; and

''(B) the Committee on Small Business and the Subcommittee on Financial Services and General Government of the Committee on Appropriations of the House of Representatives.

''(3) LIMITATION.—The Administrator shall not exercise the authority under paragraph (1) more than once during any fiscal year.''.

SEC. 6. ESTABLISHING A PROCESS FOR WAIVERS.

(a) IN GENERAL.—If the Administrator exercises statutory or regulatory authority to waive a regulation or a requirement in the Standard Operating Procedures Manual or Policy Notice related to a program or function of the Office of Capital Access of the Administration, the waiver shall be in writing and be maintained in an indexed form.

(b) NO NEW WAIVER AUTHORITY.—Nothing in subsection (a) shall be construed as creating new authority for the Administrator to waive regulations of the Administration.

SEC. 7. REPEAL OF SMALL BUSINESS LOAN LOSS REPORT.

Subsection (b) of section 10 of the Small Business Act (15 U.S.C. 639(b)) is repealed.

The SPEAKER pro tempore (Mr. HILL). Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, although the economy is starting to recover, small businesses continue to face a rigid lending environment that challenges growth and job creation. With options limited, small businesses regularly turn to the SBA, the Small Business Administration, for assistance.

With nearly 70,000 loans made in fiscal year 2017, the 7(a) Loan Program is the SBA's largest capital access tool and is reserved for creditworthy small businesses that cannot access traditional or conventional bank lending.

□ 1500

In recent years, the program has experienced rapid growth, which spiked congressional interest and resulted in numerous hearings and meetings to evaluate the SBA's oversight of lenders.

After careful consideration, I, along with the ranking member, Ms. VELÁZQUEZ, determined legislation was needed to ensure the integrity of the program and to safeguard the American taxpayers' dollars. As a result, in January of this year, we introduced H.R. 4743, the Small Business 7(a) Lending Oversight Reform Act of 2018, this bill.

H.R. 4743 contains important oversight reforms that strengthen the SBA's Office of Credit Risk Management and the SBA's Lender Oversight Committee. H.R. 4743 also bolsters the credit elsewhere test which acts as a gatekeeper into this government guarantee program.

With the reforms outlined in this provision, the credit elsewhere test will be clarified and refocused on a borrower's ability to access the program. The changes to the credit elsewhere test will ensure the program is being used by eligible and deserving small businesses.

Additionally, H.R. 4743 outlines a portfolio risk analysis that the SBA must perform. With any program that has a government role, healthy and vigorous oversight is required to protect the taxpayers. H.R. 4743 provides this for the 7(a) Loan Program and for the Nation's small businesses.

Mr. Speaker, I want to thank the ranking member, Ms. VELÁZQUEZ, for all of her hard work and interest in this topic, and I also want to thank all of the members of the committee who have had a role in exploring this issue.

The bill has broad, bipartisan support—as many of our bills often do. I urge my colleagues to vote ''yes'' on H.R. 4743, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 4743, a bipartisan, bicameral bill that will improve oversight of the 7(a) Loan Program, the SBA's flagship lending product.

At the beginning of this Congress, our committee held a series of hearings to take the temperature of the 7(a) program. We actively investigated how it is being utilized, and we worked with stakeholders to address the deficiencies that were identified.

Both lenders and the agency have said oversight could be improved and transparency increased with legislative action. This bill is the product of that feedback and will make long overdue reforms to the program.

The legislation increases transparency and uniformity for both lenders and the agency by codifying the Office of Credit Risk Management and Lender Oversight Committee. It also requires the Office to internally submit a budget to ensure there is justification of the fees, salaries, and expenses used to carry out oversight functions.

We also heard that the credit elsewhere test—a bedrock of the program—was not clear and lacked a verification component. This bill better clarifies the credit elsewhere test and bolsters substantiation of how it is fulfilled.

Finally, we all remember 2015, when the program ran out of authority to lend before the end of the year. This created an artificial run on the lenders to get loans approved, unfairly harmed small businesses that needed credit, and ultimately required congressional intervention.

Today's bill incorporates provisions from legislation I introduced earlier this year, empowering the Administrator to request additional lending capacity from Congress to meet unexpected demands late in the fiscal year.

H.R. 4743 strikes a meaningful balance between strong oversight and protecting the interests of small businesses that need loans.

Mr. Speaker, I urge Members to support this legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. KELLY), chairman of the Subcommittee on Investigations, Oversight and Regulations.

Mr. KELLY of Mississippi. Mr. Speaker, I thank the chairman for yielding. In my district, the Small Business Administration has made tremendous and direct impact with the 7(a) Loan Program by helping small businesses that are not able to find or obtain capital through traditional or conventional markets.

To acquire a 7(a) loan, participating lenders must determine that a small business cannot receive credit elsewhere. In practice, this is called the credit elsewhere test. The test became the focus of my subcommittee hearing in March of 2017, when the Committee reviewed the 7(a) Loan Program.

As conservatives, we must safeguard American taxpayer dollars. A government guarantee program needs strong oversight to make sure adequate safeguards are in place. That is why 7(a) oversight must begin with the credit elsewhere test.

This is exactly what H.R. 4743 proposes. It strengthens the credit elsewhere test and provides transparency to factors most commonly used by lenders as they move small businesses through the 7(a) loan process. Additionally, H.R. 4743 increases the oversight capabilities of the Office of Credit Risk Management and the Lender Oversight Committee. These reforms will support the program while protecting American taxpayer dollars.

Mr. Speaker, I want to thank the chairman and the ranking member for taking up this issue and working with all Members to ensure oversight is paramount, and I urge my colleagues to support this much-needed legislation.

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

Mr. Speaker, in crafting H.R. 4743, the chairman and I worked closely with our Senate counterparts, the SBA, and the lending industry. Everyone had a seat at the table, and through debate and compromise, we arrived at a legislative product we can all be proud of, and that, most importantly, will help deserving small businesses access loans.

Mr. Speaker, I would like to take this opportunity to thank Chairman CHABOT and Senators RISCH and CARDIN for their bipartisanship. And, finally, I would like to thank our staff for working diligently on this important bill.

Mr. Speaker, I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I want to thank the gentlewoman for her leadership on this

issue. I would also like to thank the staffs on both sides of the aisle, and I would also like to thank the chairman of the Appropriations Committee, RODNEY FRELINGHUYSEN, for his assistance in a bump that we ran into at the eleventh hour there.

He was a classmate of mine. We both came in in the historic class of 1994, and he will be leaving at the end of this term. He is going to be greatly missed, but, in any event, I want to thank Chairman FRELINGHUYSEN.

Mr. Speaker, to conclude, the 7(a) Loan Program is an important capital access resource for the Nation's small businesses. However, with any government guarantee program, strong oversight is mandatory to safeguard American taxpayer dollars. H.R. 4743 institutes strong and critical reforms to make sure oversight is front and center as this program is administered by the SBA.

H.R. 4743 ensures the program will only be utilized by small businesses that truly require its services, and I urge my colleagues to support the bipartisan reforms instituted in H.R. 4743.

Finally, I want to again thank the gentlewoman from New York and the staffs and everyone else involved in this. I understand it might not be the norm everywhere these days, but, in our committee, it is business—and I should say—it is small business as usual. The gentlewoman was really a pleasure to work with on this and many other issues, so I thank the gentlewoman very much for her work.

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

The SPEAKER pro tempore (Mr. MCCLINTOCK). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4743, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 872, I call up the joint resolution (S.J. Res. 57) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act'', and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 872, the joint resolution is considered read.

The text of the joint resolution is as follows:

S.J. RES. 57

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Bureau of Consumer Financial Protection relating to ''Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act'' (CFPB Bulletin 2013–02 (March 21, 2013), and printed in the Congressional Record on December 6, 2017, on pages S7888–S7889, along with a letter of opinion from the Government Accountability Office dated December 5, 2017, that the Bulletin is a rule under the Congressional Review Act), and such rule shall have no force or effect.

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

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the Consumer Financial Protection Bureau, which many of us know as perhaps the single, most powerful, unaccountable agency in the history of our Republic, a few years ago, issued guidance that essentially outlawed the practice of auto dealers in America being able to take wholesale finances from third parties and charge retail rates. They did this because the Bureau claimed that the practice potentially violated the Equal Credit Opportunity Act, known as ECOA.

Mr. Speaker, there were several different problems with this approach, not the least of which is at section 1029 of Dodd-Frank, which forbids the Bureau from regulating auto dealers. It is in the law, and so many of my friends on the other side of the aisle come to this very floor to jealously, religiously, and unrelentlessly, defend the Dodd-Frank Act.

I am anxious to hear their voices today, because to defend the Dodd-Frank Act, you must vote to overturn the Bureau's guidance because this was absolutely trampling upon the sacred ground of Dodd-Frank.

Now, I didn't support Dodd-Frank, but it is the law of the land, Mr. Speaker. And if there is anything, shouldn't lawgivers in this Chamber be committed to the rule of law, the laws that have been passed by the United States Congress and signed into law by the President of the United States? So no less of an authority than Dodd-Frank says: Bureau, thou shalt not regulate auto dealers. But they attempted to do it. So that was sin number one.

Sin number two: they didn't engage in rulemaking. This was guidance. Now, guidance is supposed to tell a market participant: Okay, we understand what you are trying to do, and what you are trying to do is permissible. But, instead, the Bureau flipped it on its head and said: No, you are not allowed to do X, Y, and Z, which is essentially rulemaking, Mr. Speaker.

And so what the Bureau did was they violated the Administrative Procedure Act, which is there to assure that market participants receive due process; that they are allowed notice; that they are allowed to comment; that they are allowed to participate in the democratic process by which rules are promulgated.

So, again, what the Bureau did was, as opposed to engaging in formal rulemaking as demanded by the Administrative Procedure Act—by the way, which was essentially defined by the Clinton administration—but they violated that. They just threw it out.

□ 1515

The third problem here, Mr. Speaker, is the Bureau claimed under its former Director, Mr. Cordray, now gubernatorial candidate Mr. Cordray, that they were a data-driven bureau. Well, guess what? They couldn't come up with any data of this purported violation of the Equal Credit Opportunity Act.

They claimed that somehow there was unconscious discrimination on racial basis, known as disparate impact. But where was the data? Auto dealers, by law, cannot keep records on the racial characteristics of their customers.

So what did the very enterprising Bureau do, Mr. Speaker? They guessed. Now, they came up with a great academic name for it: Bayesian Improved Surname Geocoding system. Do you know what that means, Mr. Speaker? They guessed. They looked at somebody's last name. They looked at a ZIP Code. They scratched their heads.

Oh, that person must be of Asian heritage.

Oh, that person must be of European heritage.

Oh, that person must be of African heritage.

They made it up. They had no data; so they made it up.

Now, because of all this, in the previous Congress, Mr. Speaker, this body voted overwhelmingly—overwhelmingly—to overturn the guidance. The vote was 332–96. Unfortunately, the Senate did not act then. Fortunately, today the Senate has now acted; so this body has the opportunity to overturn these many wrongs.

And let me end with this wrong: consumers are being hurt. An analysis by The Wall Street Journal showed that

many creditworthy borrowers, because of what the Bureau has done, will have to pay up to $586 more—$586 more—for their auto loans because of what the Bureau has done. Because of that, under the Congressional Review Act, it is time for Congress to say: We said what we mean. We are going to protect consumers. We are going to overturn the Bureau's guidance, and we are going to do it today.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to S.J. Res. 57, a Congressional Review Act resolution to repeal a very important guidance on indirect auto finance lending that was issued by the Consumer Financial Protection Bureau all the way back in 2013, in order to prevent discriminatory lending.

Indirect auto lenders are lenders such as banks that work with car dealers to finance car loans for consumers. Mr. Speaker, first let me say that this is an inappropriate and misguided use of the Congressional Review Act that sets a dangerous precedent. While congressional Republicans so far have been very active in using the Congressional Review Act to tear down important regulations that protect Americans, today they are expanding their harmful efforts even further to now go after regulatory guidance issued by the Consumer Bureau years ago. This is a clear overreach that goes way beyond how the Congressional Review Act was intended to be used.

This resolution is one part of a widespread Republican effort to make it more difficult to hold financial institutions accountable. The Consumer Bureau's 2013 guidance on indirect auto lending was issued to provide clarity to indirect auto lenders and protect auto loan borrowers from discrimination. This is a market where discriminatory practices have well been documented. Since its establishment, the Consumer Bureau has levied more than $140 million in fines and penalties against lenders for engaging in discriminatory auto lending practices.

Just this January, an investigation by the National Fair Housing Alliance found that, 62 percent of the time, highly qualified minority borrowers seeking purchase and financing options for a car receive more costly pricing options than less qualified White borrowers receive for the same vehicle. According to the same report, less qualified White borrowers were presented with more financing options 75 percent of the time.

The guidance issued by the Consumer Bureau simply clarified that indirect auto lenders would be held accountable for violations of the Equal Credit Opportunity Act, or ECOA, if they took part in discriminatory practices in the pricing of auto loans. Under ECOA, it is illegal for a creditor or a lender to discriminate against a person because of race, color, religion, national origin, sex, marital status, age, or receipt of income from any public assistance program.

So the issuance of this guidance, which also provided a number of steps to indirect auto lenders that they could use to ensure that they were in compliance with the law, was a commonsense action that has both protected borrowers from unfair practices and helped lenders stay on the right side of the law.

Proponents of this resolution say to the Consumer Bureau: Oh, you had no authority to regulate auto dealers. But that is not what is at issue here today. Let's be clear. The Consumer Bureau's guidance applies to indirect auto lenders, not automobile dealers.

This resolution would set back efforts to prevent discriminatory auto lending, make it harder for responsible businesses to follow the law, and harm consumers. It would not only repeal the Consumer Bureau's regulatory guidance on auto lending but could also prevent the Consumer Bureau from ever again issuing ''substantially similar'' guidance on the matter.

Furthermore, by setting this terrible precedent of repealing regulatory guidance, the majority is opening up a Pandora's box that could have deeply harmful consequences for the public and badly impede the important work of regulators, not just of the financial services industry but of all industries.

Mr. Speaker, I strongly oppose the resolution and urge Members to vote ''no.''

I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ZELDIN), an outstanding advocate for all the working people of New York, a member of the Financial Services Committee, and the author of the House companion bill.

Mr. ZELDIN. Mr. Speaker, I thank the gentleman for yielding. I rise in strong support of this important resolution, S.J. Res. 57.

I am the House sponsor of the companion legislation to this Congressional Review Act resolution to repeal ill-founded guidance issued by the Consumer Financial Protection Bureau relating to the dealer-directed auto lending market. Mr. Speaker, I want to thank Chairman JEB HENSARLING for all of his amazing leadership on this very important issue. I also want to commend my Senate counterparts on this legislation: Senators JERRY MORAN and PAT TOOMEY.

Mr. Speaker, for so many of my constituents, access to transportation is key to their economic prosperity. And access to affordable credit is what helps them get behind the wheel to get their kids to school, get themselves to work, or to get sick loved ones to medical appointments. That is why the 2013 assault by the Consumer Financial Protection Bureau on the dealer-directed auto finance market is so damaging to the very people this rogue agency is claiming to help.

Indirect auto financing, also known as dealer-directed auto financing, are the loans offered to consumers in the dealerships where they are purchasing a vehicle. Dealer-directed financing is an important option for consumers and provides them and the dealerships they are purchasing the vehicle from with the flexibility to meet a consumer's needs based on their budget and credit score.

The CFPB, under the leadership of Richard Cordray, in their classic government-knows-best approach, decided in 2013, without consulting Congress or following the law, that they had a problem with this well-known form of auto financing. They launched an unconstitutional and illegal assault on honest car dealerships and the financial institutions they work with, falsely claiming discrimination and unfair lending practices.

The data to back up these egregious claims, through the Bureau's own admission, was deeply flawed and had an error rate as high as 41 percent. That was according to an independent audit. Let me be absolutely clear that any form of lending discrimination—whether based on race, religion, gender, orientation, or creed—is absolutely unacceptable and also totally illegal under various Federal and State laws, including the Equal Credit Opportunity Act, or ECOA.

What is also illegal and wrong is how the CFPB went about issuing this flawed mandate, labeling it as benign guidance, yet enforcing it as if it was a true Federal regulation, all in violation of the transparency and public comment requirements of the Administrative Procedures Act.

Through passage of today's joint resolution, we will permanently strike down this flawed CFPB mandate that attempted to virtually outlaw indirect auto lending in the United States. Today's fight over this important resolution may sound like a wonky policy debate, but to my constituents, permanently repealing this flawed CFPB ruling may make the difference between being denied or approved for an auto loan they desperately need.

This CFPB decree is estimated to raise the cost of auto lending by as much as $600 per consumer. That is not crumbs. And through passage of S.J. Res. 57, we can also ensure that no future CFPB Director or administration can revive it without the express permission of Congress.

Mr. Speaker, I commend Director Mulvaney for working so hard to repair the serious damage done by his rogue predecessor at the CFPB. But at the end of the day, Congress must do its job by changing the law. This has been a bipartisan priority in the past, and I hope that all my colleagues on both sides of the aisle will vote ''yes.''

Mr. Speaker, I urge adoption of S.J. Res. 57.

Ms. MAXINE WATERS of California. Mr. Speaker, this is about discrimination. This is not about false accusations. It is documented that these car

lenders have discriminated against people of color.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Speaker, I thank the gentlewoman from California. I rise in opposition to S.J. Res. 57. This is a resolution to disapprove of the CFPB auto lending rules. I oppose this, Mr. Speaker, because I believe U.S. markets should be free from fraud and from schemes like the auto lending scheme to which we have been subjected as Americans. I oppose because I don't think Americans should be discriminated against; and then, when they are discriminated against, the guilty parties have no consequences. I think they need to be caught, punished, and the victims made whole.

The gentleman from Texas talked about the research that went into cross-matching ZIP Codes and surnames as if these technologies don't benefit all of us. We know down to the block where our voters are, who they are, what race they are, what gender they are, and who they are likely to vote for. So it is no great technological feat that these auto dealers could figure out who to discriminate against.

I oppose this because I, too, was one of those Black people who lived in one of those ZIP Codes, and I was discriminated against in my car loan. The CFPB thankfully pursued justice and got my money back, which I needed.

This resolution is everything wrong with the GOP agenda: rewarding fraudsters, hooksters, charlatans, and donors while ignoring the needs and the will of Americans.

We are seeing a buildup of subprime auto loans. Haven't we learned our lesson? Why would an entrepreneur go into inventing something or innovating something when they can just make their money with these predatory lending practices. Why invest in infrastructure and transportation when you can use opaque financial markets and dirty practices to turn people's desperation into misery-fueled profits.

They say history rhymes, Mr. Speaker. And it will be like the housing crisis but with cars. Voting for this resolution is a vote against good financial market practices, fairness, and against Americans.

□ 1530

Mr. HENSARLING. Mr. Speaker, I yield myself 30 seconds just to say that the study that my friends on the other side of the aisle allude to from the NFHA wasn't even in existence when the Bureau promulgated their guidance, number one.

Number two, it is based on 2 people, 2 people out of 325 million. This is beyond junk science. It is a mockery, an absolute mockery of the Equal Credit Opportunity Act when we are here today to ensure that working Americans of all colors and races and creeds get credit.

I yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chairman of the Financial Services Subcommittee on Financial Institutions and Consumer Credit.

Mr. LUETKEMEYER. Mr. Speaker, I thank the chairman for his patience on this issue.

I want to start by thanking the Senator from Kansas, Mr. MORAN, and, more specifically, also thank the gentleman from New York (Mr. ZELDIN) for his hard work on the House companion legislation to S.J. Res. 57.

Let me give my colleagues a brief history of the situation we are discussing today.

Dodd-Frank, specifically, barred the Consumer Financial Protection Bureau from regulating all dealers. The Bureau did it anyway. In doing so, the CFPB didn't adhere to the Administrative Procedure Act, choosing instead to push this rule forward. They pushed it through based not on sound evidence or thoughtful methodology; rather, Bureau staff seem to have conducted the research backwards. They came up with the answer they wanted, and then they wrote the questions.

The simple truth of the matter is that the Bureau seized an opportunity to test congressional intent and expand its jurisdiction. Today, we are exercising not just our right, but our constitutional duty, to rescind the indirect auto guidance that is blatantly unprofessional and illegal.

And again, the CFPB—let me just reinforce this. CFPB does not have oversight of automobile transactions because Dodd-Frank specifically prohibited it, and they did it anyway.

My colleagues and I have stood on this floor time after time and warned of the dangers of this most powerful and completely unaccountable agency. Allowing the Bureau to move forward on such a rule would have been negligence on our part.

Unfortunately, this isn't the first time we have seen this play out, and it won't be the last. Across the financial regulatory spectrum, agencies have abused their authority, dodging congressional oversight by promulgating guidance that, in reality, acts as a rule. This has to end, Mr. Speaker.

I want to again extend my thanks to the gentleman from New York (Mr. ZELDIN) for his constant efforts in holding this government accountable and commend the Senate for their action on this and ask my colleagues on both sides of the aisle to join us in advocating for a more responsible approach to guidance and rulemaking.

Ms. MAXINE WATERS of California. Mr. Speaker, the chairman just said that junk science was used; however, Republicans put out a report called, ''Disparate Impact' Claims Against Vehicle Financing Businesses.'' Here it is. And guess what. The Center for Responsible Lending said that was junk science.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON), a senior member of the Financial Services Committee and a tireless advocate dedicated to combating discrimination.

Mr. ELLISON. Mr. Speaker, I thank the ranking member.

Mr. Speaker, the Congress today is going to be voting on whether or not to make it easier for dealers making car loans to offer better prices to borrowers based on the color of their skin. The majority wants you to vote, yeah, they can. We say they shouldn't. We say all Americans should be treated equally, and we think that the CFPB should be allowed to make sure that that is true.

You know, it is clear, minority buyers pay more. This has been found in any number of statistical ways. In a recent settlement with a large auto dealer, the Department of Justice and the CFPB found that 235,000 minority borrowers were paying higher rates. African-American, Asian, and Latino borrowers were paying between $200 and $300 more per loan compared to White borrowers.

Now, some of us believe in liberty and justice for all. Some of us believe in equal protection under the law. I believe that it is absolutely the wrong policy for us to second-guess the CFPB today, and I urge a ''no'' vote.

This is a fact that this disparate treatment in borrowing and rates and prices is even true when minority borrowers had the same or better credit than White borrowers. So the CFPB cracked down, and they issued guidance, which is what we would expect them to do. In fact, in total, they made sure that over—almost $12 billion has gone back to consumers, a fact which I think, for my Republican friends, really upsets them.

But guidance was set to ensure that lenders were complying with the law, which makes discrimination in auto lending illegal. They also brought cases and recovered millions for borrowers: Ally Financial paid back $80 million in recovery for victims of discrimination; American Honda Finance Corporation, $24 million; Toyota Motor Credit Corporation, $21.9 million; Fifth Third Bank, $18 million.

Now, are we to believe that these institutions, run by some of the most sophisticated businesspeople and lawyers in America, are just handing out checks for nothing? They are paying settlements because why not? They have probably got more lawyers in one of these places than they do in the CFPB.

Now, the bottom line is these folks paid out because they needed to settle. They had exposure. This move today by the majority in the Financial Services Committee is to say: Go ahead. Don't worry about discrimination. We have got your back.

We are not going to stand here and let Americans get treated like second-class citizens, though.

The new system is working well, so, naturally, some folks want to change it. So, Republicans, I ask you guys to vote ''no'' on this thing. I want you to

join us in telling Americans that everybody should be treated equally.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROYCE), a senior member of the Financial Services Committee and chairman of the House Foreign Affairs Committee.

Mr. ROYCE of California. Mr. Speaker, I was here during the debates that we had on Dodd-Frank and involved in much of the discussion. On the Democratic side and on the Republican side, there were a number of things we debated, but through all of that debate, there was a bipartisan belief that auto dealers and lenders were certainly not at the heart of the crisis and should not be the focus of new regulation.

With that in mind, as the chairman has noted, section 1029 of Dodd-Frank explicitly exempted auto dealers from CFPB supervision and regulation. If that is the case, Mr. Speaker, why are we here today?

We are here because the auto dealers are the focus of a CFPB action that ends the consumers' ability to receive discounted car loans.

Why are consumers facing higher, not lower, costs when going to buy a car? The answer is regulatory overreach.

CFPB ignored the will of Congress, ignored the law as written. As The Wall Street Journal noted, Congress' explicit exemption ''didn't stop former CFPB chief Richard Cordray, who used the back door of auto financing to regulate dealers.''

And while Mr. Cordray may have been able to suspend this belief, we do not have the same luxury here. We are not here by choice, frankly. We must act to pass this resolution today.

And, Mr. Speaker, I would like to share the bipartisan call for enforcement of the Equal Credit Opportunity Act and make this point: let's work together to tackle discrimination where it exists—where it exists—not where regulators ignore the law and employ algorithms to guess that it might exist.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE), the ranking member of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law on the Judiciary Committee.

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding.

I would like to begin by reminding everyone that the Financial Protection Bureau, under the leadership of Director Cordray, returned $12 billion to American consumers, including $140 million in enforcement and consumer savings related to auto loans.

Mr. Speaker, I rise in strong opposition to S.J. Res. 57, a direct attack on people of color, vulnerable persons, and any other person of a protected class who is subject to financial discrimination by auto lenders.

This resolution is an unambiguous stamp of approval for Office of Management and Budget Director Mick Mulvaney's agenda to shutter the CFPB by removing its ability to protect consumers and police discriminatory lending policies.

But aside from my deep, substantive concerns with this resolution, I am fundamentally opposed to this reckless and unprecedented use of the Congressional Review Act. The legislative history and plain reading of the statute make it clear that the CRA was designed to provide Congress with an opportunity to review new rules, not long-established agency guidance.

But because this archaic law was poorly designed—it actually requires agencies to physically submit thousands of rules every year in triplicate by courier—it is inevitable that some guidance will not be physically received by Congress for purposes of the CRA.

Today's resolution to disapprove guidance issued 5 years ago on procedural grounds makes it painfully obvious that the CRA has not only been horribly misused by Republicans, but it is irredeemably broken as well. In this Congress alone, Republicans have repealed more than a dozen critical protections for hardworking Americans with little notice or debate.

And how many jobs will this reckless agenda create, Mr. Speaker? None. We know this because President Trump's director of legislative affairs was asked whether these rollbacks would spur employment growth, and he conceded they would not.

So, if not to create jobs, stimulate the economy, or help working families, why vacate these commonsense rules? Corporate money, Mr. Speaker.

According to a report by Public Citizen, special interest groups spent more than $1 billion in lobbying and campaign expenditures in opposition to the 14 rules already repealed by this Congress. And last month, OMB Director Mulvaney told a room full of bank lobbyists that campaign contributions were a determining factor for who he met with while serving as a Member of Congress, a disgraceful signal to corporations that this is a pay-to-play administration that is for sale.

That is why I have introduced the Sunset the CRA and Restore American Protections Act, or the SCRAP Act, to address this blatant abuse of process and to immediately restore the rules previously repealed by this Congress to the detriment of the American people.

I urge my colleagues to oppose this resolution, and I thank the gentlewoman for yielding.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. WAGNER), chairwoman of the Financial Services Subcommittee on Oversight and Investigations.

Mrs. WAGNER. Mr. Speaker, I thank the chairman for yielding to me.

Mr. Speaker, I rise today in strong support of a bill that, frankly, is long overdue. While former CFPB Director Richard Cordray indicated in testimony before the House Committee on Financial Services that the Bureau's guidance was ''nonbinding,'' the damage was already done.

The Bureau's attempt to regulate an industry that the Dodd-Frank Act specifically told them they could not regulate is the very reason our committee has worked tirelessly to bring accountability to an agency that has none. Sadly, this guidance has become symbolic for everything that is wrong with the CFPB.

So why are we here today? Why does this Congress care about guidance put out in 2013?

Let me read section 1029 from the Dodd-Frank Act: ''the Bureau may not exercise any rulemaking, supervisory, enforcement or any other authority, including any authority to order assessments, over a motor vehicle dealer that is predominantly engaged in the sale and servicing of motor vehicles. . . . ''

Unfortunately, we have seen, time and time again, an agency that is willing to issue regulation by enforcement. Since the 2013 guidance came out, the Bureau has issued over $200 million in out-of-court settlements to auto lenders based on guidance that was flawed from the very start.

As chairman of the Subcommittee on Oversight and Investigations, our staff has issued multiple reports detailing the Bureau's baseless enforcement agenda. Because of their work, the CFPB can no longer hide behind, as one report noted, junk science.

I thank the chairman, and I urge all my colleagues to support this bipartisan effort.

Ms. MAXINE WATERS of California. Mr. Speaker, I would encourage the gentlewoman to continue reading so that she can see, under the CFPB rule, that they have the ability to oversee the lending; and what she is talking about is the exemption of the automobile dealers, themselves, but not the lenders.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. TAKANO), the vice ranking member of the Veterans' Affairs Committee.

□ 1545

Mr. TAKANO. Mr. Speaker, I thank Ranking Member WATERS for her leadership on the floor on this issue.

I rise in opposition to S.J. Res. 57 because it erases measures established a half-decade ago to prevent auto dealers from using discriminatory data tactics.

I also rise because it signals the majority's intention to contort the Congressional Review Act to allow it to be used on a dramatically increased scale in ways never intended.

Let me start with the policy.

When auto dealers provide financing through a third-party lender, they can increase the rate offered to the consumer and pocket the difference. Evidence suggests these dealer markups are frequently higher for minority borrowers than for similarly qualified White borrowers.

In 2013, the CFPB sought to address this problem. The agency produced guidance that clarified the fair lending requirements of the Equal Credit Opportunity Act applied to auto loans. The CFPB's action simply spelled out that dealer markups were indeed illegal if they led to discriminatory outcomes, intentional or otherwise.

It also listed some useful steps that auto dealers could take to ensure fair lending compliance. In recent years, the CFPB has fined auto dealers more than $150 million for discriminating against minority borrowers.

A resolution of disapproval is not the way to change policy in this area. Instead, we should be going through regular order with public hearings, committee consideration, and amendments to achieve a bipartisan compromise, not just throwing out words like ''junk science.'' We can settle that in regular order through a process.

In bringing this resolution to the floor, the majority is setting a dangerous new standard for the use of the Congressional Review Act, which only grants Congress the power to rescind regulations within a 60-legislative-day window. The CFPB guidance on auto lending was established in 2013, well outside the CRA's window.

Make no mistake: Using the CRA to repeal guidance from more than 5 years ago is an unprecedented expansion of the law's scope, and it will imperil thousands of Federal decisions going back decades. Let's not make it easier for minority car buyers to be exploited and discriminated against. Let's not open the door to an even more extreme and unprecedented use of the CRA.

I strongly urge my colleagues to vote against S.J. Res. 57.

Mr. HENSARLING. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arkansas (Mr. HILL), the majority whip of the House Financial Services Committee.

Mr. HILL. Mr. Speaker, I thank the chairman for bringing S.J. Res. 57 to the floor today, a joint resolution to disapprove the 2013 Bureau guidance on auto finance. It has been well discussed today, why that is.

This is a very tailored, commonsense approach. It does not open up a precedent towards guidance being used for a CRA. It is a very narrow joint resolution. It is designed particularly with the GAO's ruling from last December, so I don't think that hyperbole is necessary.

We are here today to make sure that all of our constituents have access to affordable auto credit. Black, White, female, male, they need affordable auto credit. How do we get a job if we don't have an affordable car with which to go to work? So that is why we are here.

Secondly, we are here because our constituents demand that we demand accountability in our oversight function, we demand transparency. When you have a process that was not transparent and did not follow the Administrative Procedures Act and did not follow the statute, we don't have accountability and we don't have transparency. Our constituents argue for that.

Many argue laws should be based on sound data; our rules should be carefully debated in public. That was not done in this instance. So we have this surreptitious, specious display of sophistry known as the indirect auto guidance from the Bureau.

So we are correcting that today, and the beneficiaries will be our constituents. The beneficiaries will be Article I power in this House as we oversee the executive.

Mr. Speaker, I thank the chairman for bringing this bill to the floor, and I thank Mr. ZELDIN for his leadership.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. FOSTER), a Member who has shown true leadership in speaking out against this harmful resolution.

Mr. FOSTER. Mr. Chairman, I thank the ranking member for yielding me time.

I rise today in opposition to S.J. Res. 57, which provides for congressional disapproval of CFPB guidance on discrimination in the indirect auto lending industry.

As the only Ph.D. scientist in Congress, when I come to the floor, it is usually to debate science or important technical details of financial service regulations. But I am also the son of a civil rights lawyer, a scientist who stepped away from his career in science and became a civil rights lawyer. My father actually wrote much of the enforcement language behind the Civil Rights Act of 1964.

The issue of minorities being systematically overcharged when purchasing automobiles is not a small issue, and, unfortunately, it is not going away.

This issue was first documented academically in the Chicago metropolitan region in the early 1990s when it was found that if you were a non-White person you were, on average, charged over $500 more, in today's dollars, than a White person was.

In a recent study in the D.C. suburbs, it was found that non-Whites were charged an average of $2,500 more than White people.

I understand this is a subject for some debate. I urge my colleagues to actually read the report that some are calling junk science here. It is a report that, frankly, as a scientist, may not have the statistics that I would like in terms of a large number of test cases, but the effect is so large that it cannot be a statistical fluctuation.

It was undertaken by the National Fair Housing Alliance, and it was done with a number of important scientific controls in its process.

This number by which non-Whites are being overcharged is not a small number. If you are overcharged by thousands of dollars on every one of the 5 to 10 cars that you buy during your lifetime, it is a big impediment to building up household wealth for minorities or any family. Every dollar that goes out to pay an overpriced loan is $1 that cannot be spent for retirement savings or for your child's college education.

A big part of this discrepancy is that non-Whites were far too often discriminated against not only in whether the loan application is approved but also in the rate charged for the loan.

Because of the financial arrangement between banks, when a non-White person is overcharged for a loan, the extra profits from that are split between the dealership and the bank. So I believe there is a responsibility for both parties to make sure that this financial incentive does not lead to the sort of discriminatory behavior that we unfortunately continue to see in this country.

During the debate over the Dodd-Frank bill, we decided to exempt car dealerships from direct oversight from the CFPB. I believe we did that because we felt, correctly, that car dealerships were the victims, rather than the cause, of the financial collapse. But we retained CFPB oversight over financial products, like the loans that are sold on financial markets.

This left an important line to be drawn because both banks and dealerships need guidance. While the banks, I believe, have a duty to make sure that the dealerships that are acting as, effectively, loan brokers on their behalf are not engaging in discriminatory behavior, they cannot be expected to put one of their agents in the room where every car deal is negotiated.

So guidance is needed. Into the breach strode the CFPB, which I believe was appropriate. This guidance is important to protecting American consumers.

In the past, critics of the CFPB guidance have argued that it relies on data that is inaccurate or misunderstood. I think that it relies on an incorrect understanding of the statistical uncertainties that are always present in any scientific measurement. The effect here is real, and it is large.

In the past, there have been bipartisan efforts to put some clarity on how the CFPB could offer this guidance, and this bill walks away from that bipartisan effort.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 1 minute to the gentleman from Illinois.

Mr. FOSTER. The bill that the majority is bringing to the floor this week will preclude the reissuance of that necessary guidance instructive of how to comply with the Equal Credit Opportunity Act of 1974, which will remain in place.

Lenders will still be, rightly, required to comply with the law, but they will not have any guidance on how to do so, leading at least one analyst to call S.J. Res. 57 a ''long-term negative for lenders,'' which, as a businessman, I agree with. S.J. Res. 57 is bad for both consumers and for lenders.

Mr. Speaker, I urge my colleagues to oppose S.J. Res. 57 and preserve the opportunity to promulgate guidance intended to curtail discrimination.

Mr. HENSARLING. Mr. Speaker, I am very happy to yield 2 minutes to the gentleman from Kentucky (Mr. BARR), the chairman of the Financial Services Subcommittee on Monetary Policy and Trade.

Mr. BARR. Mr. Speaker, I thank the chairman for yielding.

I rise today in support of the Congressional Review Act resolution to disapprove the Consumer Financial Protection Bureau's 2013 auto finance guidance.

The Dodd-Frank financial control law explicitly exempted auto dealers from the Bureau's supervision and regulation. However, this did not deter former Director of the Bureau Richard Cordray from trying to regulate this industry, circumventing the legislative intent of Congress through a backdoor guidance.

Not only did the Bureau lack the legal authority to issue such regulation, it also based its justification for the guidance on a flawed statistical methodology.

That methodology, which supposedly provided evidence of widespread discrimination of auto lenders against minorities, determined the probability of an individual's race and ethnicity merely based upon last names and ZIP Codes. According to a 2014 study, only 50 percent of Asians and 24 percent of African Americans were correctly identified by the Bureau's flawed methodology.

My friend and colleague from Illinois, a gentleman who self-identifies as a scientist, says that statistical uncertainties are always present. But the truth is that the Bureau's own records show that the Bureau designed a remuneration process that ensured that 235,000 consumers would receive remuneration checks, even though the Bureau knew that White consumers were not discriminated against on account of race. They would receive remuneration checks under that process.

Now, to me, Mr. Speaker, that is not statistical uncertainties that are always present; that is a totally flawed process. I think the American taxpayer would be totally offended to know that their tax dollars are going to people who were never harmed. That is not flawed statistical analysis that is always present; that is outright just a totally flawed process that rips off American taxpayers.

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

Mr. HENSARLING. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Kentucky.

Mr. BARR. If the lack of legal authority and deeply flawed methodology were not enough, the real-world consequences of the guidance could have been far worse if auto dealers didn't do everything they could to fight against the guidance. That is because auto dealers help customers, especially those customers with less than pristine credit scores.

Let me give you an example from Kentucky. A female buyer, having gone through a recent divorce, had credit challenges. She was offered a 7.99 percent rate by a competing bank that put her payment at $506 a month. But thanks to Ford Credit's Certified Pre-Owned Program, which is only available through a franchised Ford dealer, the same customer was able to receive a 2.9 percent rate, for a payment of $441 a month. This scenario saved her almost $70 a month and a whopping $4,200 in interest charges over the life of the loan.

Ms. MAXINE WATERS of California. Mr. Speaker, I can't believe that in 2018 we are on the floor of Congress seeing the denial of some of my colleagues about discrimination in the auto lending business and defending the automobile lenders despite the fact there has been a study that shows that there has been discrimination.

The study should have included women, because they discriminate against women also. They think women are stupid and don't know how to negotiate a loan. Women have been taken advantage of too.

Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the ranking member of the Subcommittee on Capital Markets of the Financial Services Committee.

□ 1600

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the ranking member for yielding and for her leadership on the Financial Services Committee.

Mr. Speaker, I strongly, strongly oppose this resolution, which will actually encourage discrimination against people of color who want to buy cars.

I know my Republican colleagues claim that this is about a rulemaking process, but let's be clear: This is not about process. This is about discrimination.

This issue is very simple. Financial institutions that make auto loans have an obligation not to discriminate against borrowers based on the color of their skin. This has been the law since Congress passed the Equal Credit Opportunity Act over 43 years ago.

The Consumer Financial Protection Bureau found compelling evidence that, when financial institutions allow auto dealers to increase the interest rates on auto loans for specific borrowers that come into their dealership, minority borrowers were systematically charged a higher rate. In other words, this particular practice resulted in illegal lending discrimination.

So the Consumer Financial Protection Bureau did what it was supposed to do. It told financial institutions to stop this illegal and discriminatory practice or risk being sued by the Bureau for lending discrimination.

But the Consumer Bureau did not stop there. It also told the lenders exactly how they needed to change their practices to avoid being sued for lending discrimination.

This kind of transparency is a good thing. It allows the Consumer Bureau to root out discrimination in the auto lending market while also providing guidance and certainty to all the lenders that want to do the right thing.

Yet this guidance is exactly what the resolution before us today would repeal. Why? This would have the effect of encouraging discrimination against minority borrowers in the auto lending market and discouraging the Consumer Bureau from cracking down on this horrible practice.

I believe we need to stand strong against discrimination in all forms, including lending discrimination.

Mr. Speaker, I urge my colleagues to vote for their constituents, to vote for consumers, and to oppose this resolution.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. KUSTOFF), a very hard-working member of the Financial Services Committee.

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today in support of S.J. Res. 57, which will roll back a rule issued by the Bureau of Consumer Financial Protection related to indirect auto lending.

We know that in 2013 the Bureau issued guidance to financial institutions that would eliminate an auto dealer's ability to discount interest rates offered to consumers who finance vehicle purchases.

As many of us know, the CFPB has a longstanding history of imposing burdensome rules and regulations on a wide range of financial products. The CFPB has often issued rules without understanding of the full scope of the problem and without regard to the costs of compliance it imposes on an industry. This rule is no exception.

As clearly stated in section 1029 of the Dodd-Frank Act, the Bureau is explicitly prohibited from regulating auto dealers. This attempt by the Bureau to provide guidance to auto lending is a clear violation of the statute and is yet another example of how the Bureau continued to abuse its statutory power under then-Director Richard Cordray.

I am pleased to join my colleagues here today to ensure that the Bureau does not issue any substantially similar rules as it relates to indirect auto lending.

Mr. Speaker, I thank the chairman and other members of the House Financial Services Committee for bringing this important legislation to the floor. I urge my colleagues to support this important measure to help rein in the CFPB's regulatory overreach.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentlewoman

from New York (Ms. TENNEY), an outstanding member of the Financial Services Committee.

Ms. TENNEY. Mr. Speaker, I thank Chairman HENSARLING for yielding, and a special thank you to my colleague from New York, LEE ZELDIN, for his support of S.J. Res. 57.

Mr. Speaker, it has been 5 years since the Consumer Financial Protection Board circumvented the formal rulemaking process by unfairly denying consumers and small businesses the right to comment on guidance that will directly affect them.

By executing this wrongful end run around the proper rulemaking process, the CFPB created much uncertainty in the $1.1 trillion auto lending market. In fact, in testimony before our committee, the former Director, Mr. Richard Cordray, admitted to me in testimony that he had to circumvent the rules to target auto lenders.

More than half of car buyers finance their purchases when acquiring an automobile. These consumers have the ability to obtain great auto rates through their dealer-assisted finance, otherwise known as indirect lending.

I have personally met many highly credible auto dealers in my district who are strongly committed to their communities and the consumers who they serve. In fact, one auto dealer that I met with specifically does not even take any form of picture ID when determining lending just to avoid any kind of scrutiny that would actually suggest that they were doing any kind of discrimination.

These auto dealers—and they are mostly small businesses—comply with fair lending policies and practices while meeting the needs of their consumers who desperately need to buy a car and often finance through their auto dealer.

However, this flawed, unstudied guidance, through the statistics we have heard from the other side, threatens to eliminate the flexibility these small businesses, these small auto dealers need to offer discounted interest rates to consumers who need to purchase a car on credit with a very limited budget, especially in my community.

Last Congress, multiple bipartisan letters and bills called for the CFPB to correct and reissue their guidance, which would bring clarity to the market, and study the impact this digression would have on lower income consumers. However, the CFPB refused to provide help on multiple occasions.

It is indeed ironic that the very agency which is supposed to protect consumers is, in fact, harming them with its flawed guidance rules. Congress created the Consumer Financial Protection Board to protect consumers, not hurt them.

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

Mr. HENSARLING. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. TENNEY. Mr. Speaker, I just want to emphasize that these small businesses should be protected by the Consumer Financial Protection Board, not targeted by them.

Mr. Speaker, I ask that my colleagues and everyone join us in supporting S.J. Res. 57 and finally rescind this flawed guidance by the CFPB.

Ms. MAXINE WATERS of California. Mr. Speaker, I am sitting here appalled at what I am hearing from the opposite side of the aisle, the fact that they would use the Congressional Review Act to attack guidance and then have the audacity to say in the resolution that they can never, ever again in perpetuity ever have anything like this again.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), an outstanding member of the Ways and Means Committee and chair of the Congressional Auto Caucus.

Mr. KELLY of Pennsylvania. Mr. Speaker, I thank the chairman for yielding and giving me some time.

Mr. Speaker, I just heard the phrase that ''I am appalled'' by what is taking place on the floor today. I will tell you, I join in those comments, and I really do believe that.

For a person whose family has been in the automobile business since 1953 and sold thousands and thousands of cars to people of any color, it doesn't matter the color of the person buying the car. Do we match them up with the transportation need that they were looking for, and were we able to arrange financing that was affordable to them? You cannot be in business for 65 years doing it the wrong way.

To impugn the integrity of the automobile people is absolutely beyond reproach. If you run out of facts, I guess the next thing you have to go to is discrimination. When we talk this way, it is so divisive, but that is the platform: Let's divide them, let's try to separate them—the color of the skin, the shape of their eye, their gender. Let's make sure that we can make every statement possible to show that there are bad people out there doing things to other folks and it is only by discrimination that these things get done.

I will tell you, I am greatly offended as a member of the automobile industry and as someone who has served thousands of people.

If you think the dealers are that bad, please go to your hometown and look at the Little League fence and find out whose name is out there. Look at your high school programs and see who it is that is funding all these things. Go to any charity and see who is on the list of who takes care of people.

To sit here today and have to listen to that somehow this is discriminatory just adds to the fact that when you are out of facts, when you don't know what you are talking about and what you have never done—not one of your people have ever been on the floor and—not this floor. I am talking about the automobile floor. You know an awful lot about laptops, but you know nothing about blacktop. You get on that floor, you get on that lot, and you work with people to make sure they can have affordable transportation—affordable transportation.

Rather than this person trying to arrange financing by himself or herself, we rely on a dealer, who has great, great heft within the financial community and to talk to lenders and say, ''We have a great customer here who is looking to buy a car. We need you to work with us to get them in this transportation.'' How in the world can you reduce this down to discrimination?

We are doing the same thing every day that you are doing. We are trying to make sure that we are making America great every day in every way. The best way to do that is to stop talking about discrimination and start talking about the Nation. We are coming together as a people in spite of what you say.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

I would ask the gentleman from Pennsylvania (Mr. KELLY) to please not leave, because I want you to know that I am more offended as an African-American woman than you will ever be.

And this business about making America great again, it is your President that is dividing this country.

And don't talk to me about the fact that we don't understand. That is the attitude that has been given toward women time and time again.

The SPEAKER pro tempore. The gentlewoman will suspend.

The Chair wishes to remind all Members to address their remarks to the Chair.

Ms. MAXINE WATERS of California. I respect the Chair, but don't stop me in the middle when you didn't stop him in the middle. So I shall continue.

Don't you dare talk to me like that and think that somehow women don't understand what goes on on the floor of automobile dealers.

The SPEAKER pro tempore. The gentlewoman is reminded to direct her remarks to the Chair.

The gentlewoman will continue in order.

Ms. MAXINE WATERS of California. And I am saying that I will continue to do that. However, I don't appreciate that you did not interrupt him when he was making those outrageous remarks about him knowing more about discrimination than I know about discrimination. I resent that.

And I resent the remark about making America great again. He is down here making a speech for this dishonorable President of the United States of America.

Having said that, I reserve the balance of my time.

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

Ms. MAXINE WATERS of California. Mr. Speaker, there are times on the floor of this Congress that we hear some of the most outrageous comments in defense of some of the most outrageous practices.

This resolution is yet another harmful piece of legislation from the majority that should be rejected. Week after week, instead of working to benefit hardworking Americans and protect the public from abusive financial institutions, Republicans have advanced legislation to undermine and remove consumer and investor protections, threaten the stability of our economy and financial system, and benefit bad actors in the financial services industry. They are taking our system of financial regulation in precisely the wrong direction.

Today, as we have discussed, the majority is putting forth a Congressional Review Act resolution that would repeal important Consumer Financial Protection Bureau guidance to prevent discrimination by indirect auto lenders.

This resolution would set back efforts to prevent discriminatory auto lending, harm consumers, and make it harder for responsible businesses to follow the law. It is senseless and misguided.

□ 1615

The resolution would also set a dangerous precedent by repealing years-old regulatory guidance, which is not how the Congressional Review Act was intended to be used. Opening the door to inappropriate uses of the Congressional Review Act like this one threatens the important work of regulators, not just of the financial services industry, but of all industries.

So I call upon my colleagues across the aisle to work with the Democrats on policies that strengthen consumer protections, rather than the harmful rollbacks like the one before us today. I urge Members to oppose the resolution.

And I want my friends on the opposite side of the aisle to know that we don't easily get up and talk about discrimination against minorities and people of color. We don't like to have to do this. We wish that we had come to a time in the history of this country where it did not happen.

But I am appalled when the opposite side of the aisle stands up in strong defense of discrimination. If they were really interested in working with the Democrats they would say we have a better methodology of determining whether or not there is discrimination. We want to work with you. We want to do whatever is necessary to ensure that no one is discriminated against, yet I hear from Members like Mr. KELLY who come to the floor talking about we don't know what we are talking about, we don't understand it, we have never been on the floor of a dealership.

Oh, yes I have. My husband was in the car business. I know a lot about it.

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

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

It is rare, but I have found common ground with the ranking member; and the common ground is I have never heard such outrageous comments on the House floor as other Members of the other side of the aisle come and accuse us of defending discrimination?

Number one, almost half of her caucus supported S.J. Res. 57 to get rid of this in the last Congress.

And I hope every single car dealer in America is listening to my colleagues on the other side of the aisle who have come down here on the House floor to accuse them of racism. With what? The proof of a report that has a universe of two?

Again, it makes a mockery of the Equal Opportunity Credit Act.

And for those to come to the House floor and say they are appalled by discrimination? Well, where were they when the Bureau of Consumer Financial Protection was accused of having a pervasive culture of retaliation and intimidation? They were found to engage in discrimination, but what did we hear from the other side of the aisle? We heard crickets. We heard crickets, Mr. Speaker.

Now, what is next? What are we going to hear from our friends on the other side of the aisle next? Are we going to hear that every pharmacist in America is a Fascist? Are we going to hear that every single doctor in America is engaged in spousal abuse? Where is the proof?

People are trying to sell cars and help them get into transportation.

And, oh, by the way, Mr. Speaker, almost every American now has one of these. Go to your smartphone and Google ''auto finance.'' And guess what? At least on mine, it comes up State Farm, Lending Tree, Bank of America, Chase, RoadLoans. Nobody forces you to take the financing package of the dealer, even though often it is a better choice than other lenders.

It is so easy, Mr. Speaker, to come to the floor and say, My Lord, the charge is serious; therefore, you must be guilty until proven innocent.

This is an embarrassing day for the House, Mr. Speaker, absolutely embarrassing, and we ought to stand for the rule of law.

When my friends on the other side of the aisle so jealously guard the sanctity of Dodd-Frank, why haven't we heard their voice today? Why aren't they defending Dodd-Frank today? Because Dodd-Frank, itself, as coming down from Mount Sinai said, Thou shall not regulate auto dealers.

And so now we are throwing Dodd-Frank overboard. We are calling auto dealers racists. It is, indeed, outrageous comments. And to come here to the House floor and so recklessly make that accusation is an outrage, and it is why we need to ensure that S.J. Res. 57 is voted on affirmatively today.

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

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

Pursuant to House Resolution 872, the previous question is ordered on the joint resolution.

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

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

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

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

Mr. HENSARLING. 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 234, nays 175, answered ''present'' 1, not voting 18, as follows:

[Roll No. 171]

YEAS—234

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Correa
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
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)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Poliquin
Posey
Ratcliffe
Reed
Reichert
Rice (SC)
Roby
Roe (TN)
Rogers (AL)

Rohrabacher
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—175

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
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Courtney
Crist
Crowley
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
Gottheimer
Green, Al
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

ANSWERED ''PRESENT''—1

Buchanan

NOT VOTING—18

Adams
Carson (IN)
Cummings
Gutiérrez
Jenkins (WV)
Johnson, E. B.
Jones
Kuster (NH)
Labrador
Lipinski
McCollum
Messer
Pittenger
Poe (TX)
Renacci
Rogers (KY)
Rokita
Scalise

□ 1648

Mses. BASS, MICHELLE LUJAN GRISHAM of New Mexico, SÁNCHEZ, Mr. HIGGINS of New York, Mrs. BEATTY, Mr. BISHOP of Georgia, and Ms. HANABUSA changed their vote from ''yea'' to ''nay.''

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

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CROWLEY. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

Whereas, the tradition of the House Chaplain dates to the earliest days of the House of Representatives, beginning in 1789;

Whereas, the role of House Chaplain has been filled by 60 individuals of various religious denominations, serving Members of Congress of all faiths;

Whereas, Father Patrick Conroy has served honorably as House Chaplain since May 25, 2011, when he was appointed by then-Speaker John A. Boehner in consultation with Democratic Leader Nancy Pelosi;

Whereas, Father Conroy had been reappointed and elected by the House of Representatives on three separate occasions, most recently January 3, 2017;

Whereas, on April 16, 2018, the Nation's first Jesuit—and only the second Catholic—Chaplain of the U.S. House of Representatives submitted his resignation before the full House;

Whereas, the Chaplain had only eight months remaining in his term of service to the House;

Whereas, this resignation was requested by the office of Paul D. Ryan, Speaker of the House of Representatives;

Whereas, the Speaker's office said ''. . . the decision (to remove the Chaplain) was his (Speaker Ryan's);''

Whereas, on May 3, 2018, Father Conroy submitted a letter retracting and rescinding his resignation, which was accepted by Speaker Ryan;

Whereas, despite the Speaker's statement accepting this retraction letter, a number of Members of Congress remain concerned about what motivated the original request for Father Conroy to resign and the lack of adequate notification or explanation given to Members;

Whereas, the rights of Members of the House of Representatives were undermined when the leader of one party made a unilateral decision to ask for the resignation of the Chaplain;

Whereas, this resignation and the circumstances behind it has compromised the integrity and the dignity of the House of Representatives by politicizing the office of the House Chaplain;

Resolved, that there is hereby established a select committee to investigate the circumstances around the resignation of the House Chaplain;

The select committee shall be comprised of six members, of which three shall be appointed by the chair of the Committee on Ethics and three by the ranking member of the Committee on Ethics;

The select committee shall investigate the motivations and actions that led to the resignation of the Chaplain, including the decisions to remove the Chaplain and the process by which Members of Congress were notified of the resignation;

The select committee shall provide a report to the House by July 13, 2018.

The SPEAKER pro tempore. The Chair will now recognize the gentleman from New York to offer the resolution just noticed.

Does the gentleman offer the resolution?

Mr. CROWLEY. Mr. Speaker, I do.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 878

Whereas, the tradition of the House Chaplain dates to the earliest days of the House of Representatives, beginning in 1789;

Whereas, the role of House Chaplain has been filled by 60 individuals of various religious denominations, serving Members of Congress of all faiths;

Whereas, Father Patrick Conroy has served honorably as House Chaplain since May 25, 2011, when he was appointed by then-Speaker John A. Boehner in consultation with Democratic Leader Nancy Pelosi;

Whereas, Father Conroy had been re-appointed and elected by the House of Representatives on three separate occasions, most recently January 3, 2017;

Whereas, on April 16, 2018, the nation's first Jesuit—and only the second Catholic—Chaplain of the U.S. House of Representatives submitted his resignation before the full House;

Whereas, the Chaplain had only eight months remaining in his term of service to the House;

Whereas, this resignation was requested by the office of Paul D. Ryan, Speaker of the House of Representatives;

Whereas, the Speaker's office said ''. . . the decision (to remove the Chaplain) was his (Speaker Ryan's);''

Whereas, on May 3, 2018, Father Conroy submitted a letter retracting and rescinding his resignation, which was accepted by Speaker Ryan;

Whereas, despite the Speaker's statement accepting this retraction letter, a number of Members of Congress remain concerned about what motivated the original request for Father Conroy to resign and the lack of adequate notification or explanation given to Members;

Whereas, the rights of Members of the House of Representatives were undermined when the leader of one party made a unilateral decision to ask for the resignation of the Chaplain;

Whereas, this resignation and the circumstances behind it has compromised the integrity and the dignity of the House of Representatives by politicizing the office of the House Chaplain;

Resolved, that there is hereby established a select committee to investigate the circumstances around the resignation of the House Chaplain;

The select committee shall be comprised of six members, of which three shall be appointed by the chair of the Committee on

Ethics, and three by the ranking member of the Committee on Ethics;

The select committee shall investigate the motivations and actions that led to the resignation of the Chaplain, including the decisions to remove the Chaplain and the process by which Members of Congress were notified of the resignation;

The select committee shall provide a report to the House by July 13, 2018.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

Mr. McCARTHY. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. McCarthy moves to lay the resolution on the table.

PARLIAMENTARY INQUIRIES

Mr. CROWLEY. Mr. Speaker, parliamentary inquiry.

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

Mr. CROWLEY. Mr. Speaker, is this motion privileged?

The SPEAKER pro tempore. The gentleman from California has offered a motion to table the question of privilege.

Mr. CROWLEY. Mr. Speaker, I am asking on the underlying resolution before you, is it a privileged resolution?

The SPEAKER pro tempore. The Chair announced that the resolution qualified as privileged.

Mr. CROWLEY. Mr. Speaker, further parliamentary inquiry.

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

Mr. CROWLEY. Mr. Speaker, could the House consider this motion immediately? The gentleman from New York requests: Can the House consider this motion immediately?

The SPEAKER pro tempore. The House will first consider the pending motion to table.

Mr. CROWLEY. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from New York will state his parliamentary inquiry.

Mr. CROWLEY. Will the Chair rule as to whether or not the House could consider this motion immediately?

The SPEAKER pro tempore. The House will first consider the motion to table. If the motion fails, then the House could pursue other dispositions of the resolution.

Mr. CROWLEY. Mr. Speaker, one more further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from New York will state his parliamentary inquiry.

Mr. CROWLEY. Mr. Speaker, the vote to table that you are speaking of will prevent this measure from coming to the floor today immediately. Is that not true?

The SPEAKER pro tempore. The House will now consider the motion to table.

The question is on the motion offered by the gentleman from California.

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

Mr. CROWLEY. 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 223, nays 182, not voting 23, as follows:

[Roll No. 172]

YEAS—223

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brooks (AL)
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)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
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)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poliquin
Posey
Ratcliffe
Reed
Reichert
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
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
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—182

Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
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—23

Adams
Blunt Rochester
Brat
Carson (IN)
Cummings
Gutiérrez
Jenkins (WV)
Johnson, E. B.
Jones
Kuster (NH)
Labrador
Lipinski
McCollum
Messer
Napolitano
Pittenger
Poe (TX)
Renacci
Rogers (KY)
Rokita
Rosen
Scalise
Scott, David

□ 1714

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SCALISE. Mr. Speaker, I was unavoidably detained. Had I been present, I would hae voted "yea" on rollcall No. 171 and "yea" on rollcall No. 172.

PERSONAL EXPLANATION

Mr. CARSON of Indiana. Mr. Speaker, on May 8, 2018 I was in my district for my primary election and missed rollcall votes 169, 170, 171, and 172. Had I been present, I would have voted: "Nay" on rollcall 169, "Nay" on rollcall 170, "Nay" on rollcall 171, and "Nay" on rollcall 172.

PERMISSION FOR MEMBER TO BE CONSIDERED AS PRIMARY SPONSOR OF H.R. 1587 AND H.R. 4199

Ms. DELAURO. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the primary sponsor of both H.R. 1587 and H.R. 4199, bills originally introduced by Representative Slaughter of New York, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. BUDD). Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3053, NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2017

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 115–665) on the resolution (H. Res. 879) providing for consideration of the bill (H.R. 3053) to amend the Nuclear Waste Policy Act of 1982, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CELEBRATING THE BAPTISMS OF DR. FRANK GASKILL, OLIVIA GASKILL, AND MADDOX GASKILL

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

Mr. NORMAN. Mr. Speaker, I rise today to celebrate the baptism of Dr. Frank Gaskill and his two children, Olivia and Maddox, of Charlotte, North Carolina, this past weekend. On May 6, at the Myers Park United Methodist Church, I was able to celebrate a member joining the church of faith.

Dr. Gaskill is a psychologist and author, who has dedicated his life to helping children with Asperger's. After earning his bachelor of arts, master's, and Ph.D. in psychology from the University of North Carolina at Chapel Hill, he went on to develop a practice that has been recognized as one of the most creative, innovative, and best run practices in the United States.

I look forward to the positive impact Dr. Gaskill will continue to have, and I am overjoyed by his commitment to his faith.

Dr. Gaskill, as you begin this new part of your life, look to Psalm 37:3, which reminds us: ''Trust in the Lord and do good; dwell in the land and cultivate faithfulness.''

RECOGNIZING TEACHER APPRECIATION WEEK

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

Mr. PAYNE. Mr. Speaker, I rise today in honor of America's teachers.

In classrooms across the country, teachers are doing an excellent job in educating our children and preparing them for their future success. Teachers are much more than educators. They are leaders, and they are role models.

Mr. Speaker, this week is Teacher Appreciation Week, and I ask that my colleagues join me in honoring our teachers not just today, but every day.

On a personal note, I ask that my colleagues join me in honoring three teachers in my life:

My father, the late Congressman Donald Payne, Sr., was a high school teacher who used his time in Congress to fight for K–12 education at home and abroad;

My sister, Wanda Payne, just retired last year from teaching kindergarten and pre-K and special needs children for 31 years; and

My sister, Nicole Payne, who is director of alternative education for the Paterson School District in New Jersey.

My father and sisters, like teachers across this country, help young people grow into strong, capable adults. For that, let's honor them.

ENACTING TERM LIMITS

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

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to discuss a creative solution to enacting term limits without amending the Constitution, H.R. 5539, the Thomas Jefferson Public Service Act of 2018.

Under this proposal, after six terms in the House or two in the Senate, Members of Congress will only receive $1 a year in compensation for their service, effectively implementing real term limits. Again, no constitutional amendment necessary.

Critics may say this will create a Congress full of rich people, but, in fact, people using this argument are exactly the career politicians we need to weed out. If a person were to ignore the effective 12-year term limit, regardless of how much money they might have, the culture of term limits would be set in and they would be widely opposed, criticized, and should be thrown out.

Eighty-six percent of our customers, the voters, want term limits. As a businessperson, I am just figuring out how to get them what they want. That is what we do in the real world: satisfy customers.

HONORING THE LIFE OF CARRIE PARSONS

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

Mr. KIHUEN. Mr. Speaker, today I rise to remember the life of Carrie Parsons. Carrie always made sure to live her life by her favorite saying: ''live, laugh, and love.''

She enjoyed playing intramural softball and working at the staffing firm, Ajilon. Carrie recently got engaged in Hawaii to the love of her life, and they were excited to start their life together.

She went to the Route 91 festival in Las Vegas on October 1 with four of her friends for a girls trip. Carrie always loved dancing and singing to her favorite country songs, and she made sure to ensure everyone was having a good time. Her friends remember her as being a ''one in a million friend'' who was young, vibrant, and full of life.

I would like to extend my condolences to Carrie Parsons' family and friends. Please know that the city of Las Vegas, the State of Nevada, and the whole country grieve with you.

MENTAL HEALTH AWARENESS MONTH

(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, May is Mental Health Awareness Month, and I would like to take this opportunity to discuss the need for increased mental health awareness and resources in our communities. I would like to recognize an organization in my district, in Bucks County, Pennsylvania, that does just that.

The Bucks County Crisis Intervention Team, founded in 2008, brings together law enforcement, mental health professionals, and local officials to reinforce the treatment of mental illness as a disorder and not as a crime.

I am appreciative of the law enforcement officers who, last month, became certified as members of the Bucks County Crisis Intervention Team, the 18th class to do so.

I would also like to thank mental health advocate Sharon Curran, whose involvement with this program and work with the Lenape Valley Foundation makes Bucks County a safer and a more accommodating community.

Mr. Speaker, working together with this group, we look forward to expanded access to quality mental healthcare for anyone in our community who is in need.

HONORING ''SUPER'' COOPER BUSCH

(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 a constituent from the 22nd District of New York, Cooper Busch, better known as Super Cooper.

Cooper Busch of Chenango Bridge, a spunky, fearless, and loving 4-year-old, an incredible fighter, born with Down syndrome, Cooper was diagnosed in November of 2016 with acute myeloid leukemia.

On Sunday, May 6, sadly, sweet Cooper passed away. Cooper is survived by his parents, Tara and Steve; his brother, Cole; and his sister, Hope.

In Cooper's last month, he received a surprise total bedroom makeover, he threw out the first pitch for the Rumble Ponies, and he dropped the puck for the Binghamton Devils.

Volunteers organized fundraisers, sent in meals for the Busch family, and sold Super Cooper t-shirts. A local artist even wrote and illustrated a special book called, ''Super Cooper Saves the Day.''

Our condolences are with the entire Busch family during this very difficult time. Cooper's enduring spirit and bravery are an inspiration to all of us. Super Cooper's smile, lovable personality, and his zeal to live each day to the fullest, no matter how challenging, no matter how much time we may be allotted on this very dear Earth, will be his eternal legacy to all of us.

May Super Cooper rest in peace.

LEGISLATION AS A REFLECTION OF MORALITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to address you here on the floor of the United States House of Representatives and to take up any of the topics that are already in order here, which is most every topic delivered in a decent fashion.

But I have some things to talk about here tonight that are a bit celebratory, things that I am pretty happy about. I want to discuss, Mr. Speaker, the narrative of a significant accomplishment that I think, in the end, will save the lives of perhaps millions of innocent unborn babies in this country.

The history of Roe v. Wade goes back to January 22, 1973, when the United States Supreme Court came down with a decision. Coupled were two cases the same day, Roe v. Wade and Doe v. Bolton, and those two cases that were delivered launched abortion on demand in America. It was a stunning set of decisions, the scope of which, the magnitude of which, could not have been comprehended at that time.

I remember then, when they came down. We had no children yet at that point. Marilyn and I were married, but at that age in life and not having any experience with the impact of such a decision—America didn't have that experience—the way we analyzed that thing, didn't understand how severe this would be.

Yet, once the decision came down, there is something that I have learned, Mr. Speaker, and that is that people say: You can't legislate morality.

I have always thought that was a pretty weak statement and not very defensible, but you hear it quite often: You can't legislate morality. You can't legislate morality.

Well, legislation is a reflection of morality. For example, we have laws against murder and rape and assault and battery and armed robbery, and the list goes on and on of the things that are prohibited. They are the reflections of the morality of a nation.

The lack of such legislation would indicate only one of two things: either it is the lack of morality, or it is a nation that doesn't need laws to frame it because the morality of the nation is so enshrined in the culture that there doesn't need to be laws.

For example, one of those examples would be that, for centuries, marriage was between a man and a woman. We didn't need laws that said so because everybody knew that marriage defined a union between a man and a woman—in my case, joined together in holy matrimony.

So as the legislation came forward—and I was in the Iowa Senate at the time—I remember some of that debate and discussion, and it was: Why do we need to pass this law to defend marriage, the Defense of Marriage Act?

I helped write part of that language, Mr. Speaker, and I had a little bit of a hard time explaining why it was important that we move it, more or less, an insurance policy so that we could protect marriage in Iowa against the movement that had just begun not very much earlier than that by litigation out in Hawaii. And then the conflation between civil unions and marriage.

But the reflection of the values of marriage were in our culture so deeply that senator after senator stood on the floor and said: Why do we need to do this? This is a redundant exercise. It is a waste of our time. Everybody knows that marriage is between a man and a woman.

And we passed the Defense of Marriage Act. There were only about three or four who voted against it. We wondered why they did that. They were out there in the fringes, so we thought, at the time. That was about 1998.

□ 1730

By 2009—and that would only be 11 years later—the Iowa Supreme Court came down with the decision Varnum v. Brien, which imposed same-sex marriage on Iowa, the transformation of a culture that needed a law to protect marriage, if we were to protect it. But once, for thousands of years—I will say at least for thousands of years—marriage was between a man and a woman, and it changed.

When something became permissive, then the permissiveness of it changed the morality of the situation. That is not a very good description, Mr. Speaker, of what happened with the abortion circumstances in America. We understood then that life begins at the moment of conception. But when Roe v. Wade came down with the decision that prohibited the States from regulating abortion and prohibiting abortion, then it became permissible and permissive, and it became pervasive at the same time.

Some of our peak incidents of abortion, from 1973 until the latter part of that decade, got up to 1.6 million abortions a year. And, today, after 45 years of Roe v. Wade, this Nation has seen 60 million—some say 61 million—babies aborted. Babies who would be growing up in our society today: going to school; playing ball; studying; going to church; loving their brothers and sisters, their mothers, their fathers, their grandparents, their aunts, their uncles. They are gone: 60 million little babies gone.

And not only 60 million—there is no way to actually describe 60 million babies as only—but, in addition, there are another roughly 60 million who were not born because their mothers were aborted. A population between 100 and 120 million Americans are missing today because of Roe v. Wade's decision—Roe v. Wade and Doe v. Bolton—an unsoundly and unjustly decision that came down from the United States Supreme Court.

One of the problems we have in this country is we have three branches of government. A lot of government teachers and constitutional teachers instruct that it is three coequal branches of government, but that is not what our Founding Fathers expected. They defined it, instead, that the judicial branch of government would be the weakest of the three branches of government.

Yet our society, our culture, our civilization gives such reverence to the United States Supreme Court that they can't even get their minds around the idea of: What do you do if the Court comes down with an atrocious, outrageous, erroneous, nonconstitutional decision that visits 60 million deaths of innocent babies on our country and another 60 million babies who are not born because of a result of it? A missing 100 to 120 million babies—a decision of the Supreme Court.

And what do we do?

We accept the decision as if the decisions of the Supreme Court are utterly sacrosanct, and the only way they can ever change is if the circumstances of that Court should change in such a way that the appointments and the confirmations to the Court could transform and reverse the erroneous decisions in the past.

Now, there are circumstances where the Supreme Court has reversed their own decision. We had the Dred Scott decision that actually wasn't reversed. That was a decision on slavery. Some say that that was an erroneous, poorly found decision.

I think I side with Abraham Lincoln that it was constitutional at its time. It probably was a decision that conformed to the Constitution, however morally wrong it was.

Then along came the 13th, the 14th, and the 15th Amendments that rectified the situation that was put upon us by Dred Scott. And, by the way,

600,000 lives lost in the Civil War, putting an end to slavery and resolving the Union.

Was the Union going to be something that one could separate from, or once you are part of the Union are you always part of the Union?

And, as this turned out, 600,000 Americans were killed in the Civil War, putting an end to slavery—600,000. It sounds like a lot until you compare it to 60 million babies aborted, Mr. Speaker.

This is the worst atrocity ever—accumulated effect of it—the worst atrocity ever committed on American soil, and it was sanctified by the Supreme Court in an unsoundly founded decision.

Now, the thing that obstructs us from getting pro-life legislation passed is a few people who profess that they are pro-life—a pro-life organization. They say: Well, we have to respect the Supreme Court decision that it is sacrosanct.

The Supreme Court laid out the parameters of viability not only in Roe v. Wade and Doe v. Bolton, but also in Planned Parenthood v. Casey in 1992: this viability concept, which is that if a baby can't survive outside of the womb, it is really not a life. Well, we know better than that because we can hear their hearts beat, we can watch them move around inside of the womb, we can watch them squirm, we can watch them suck their thumb, and we can watch them move their lips like they are trying to talk.

We bond with these babies now through ultrasound. The ultrasound is just about as good as Skype with our children and grandchildren who are out here breathing this free air. Those are the circumstances that have changed. We know that it is life.

The Supreme Court's decision wasn't soundly found. They weren't looking at an ultrasound then, back 45 years ago. We didn't know whether we had twins, or singles, or triplets, or quadruplets then because we didn't have enough ability to even listen to the heartbeat precisely enough. Today, we can, Mr. Speaker.

Today, we are listening to heartbeats, and, today, we are watching babies squirm, and move, and suck their thumb, and move their mouth like they are trying to talk, and get their exercise inside of the womb. Now we know. We can't deny. It is not a blob of tissue, it is not some kind of an intruder. This is a unique DNA, innocent, unborn human life.

We brought legislation here to this Congress called the Heartbeat legislation, H.R. 490. In this legislation, it says that before an abortionist sets about committing an abortion, he must first check for a heartbeat with transabdominal ultrasound, which picks up a heartbeat between 7 and 8 weeks from fertilization or conception. He must first check for a heartbeat. If a heartbeat is detected, the baby is protected.

This rings not only in our hearts, but it rings true in our conscience. We know that where there is a heartbeat, there is life. And we know that if you go in and surgically, or by any other method, snuff out that heartbeat, you are snuffing out life, the most innocent among us.

Father Jonathan Morris, a priest from New York whom we see on FOX News in the morning, one day was commenting. He was commenting about how the ladies and the mothers in the church, when their babies start to cry too loud, they get up and hustle them out of the church, and he said: Why would you do that?

Those are the only innocent voices in that church. Well, the most innocent are in the womb, and the most innocent have been victimized by this idea of convenience, or women's rights, or that it is not somebody else's business to tell someone else what to do with their body.

Well, it isn't about their body, Mr. Speaker. It is about that unique being, with that unique combination of DNA. That is how precious this is. We never know the potential of a baby, an innocent unborn baby.

There was a story in the news a couple of days ago. Now, there are those who would predict that inside the womb you can identify Down syndrome, you can identify other afflictions; and those other afflictions, they might argue, make that baby less than perfect. But those babies, when they are loved, are perfect for those who love them.

We can't decide with a level of certainty, regardless, when they are in the womb. If there is a heartbeat there, that is an innocent life that is deserving of protection. If we would not end that life of that baby outside of the womb, we would not, and should not, end it inside the womb. So if a heartbeat is detected, the baby is protected.

H.R. 490 has 171 cosponsors here in the House of Representatives. It has come further and faster than any significant piece of pro-life legislation, I believe, since 1973 in Roe v. Wade in the first place.

We need to get this bill to the floor of this House and send it over and put it on MITCH MCCONNELL's desk. There is hardly any room left on MITCH MCCONNELL's desk these days. That number must be up to 500 or so bills sitting on his desk. But we can put Heartbeat there on top of MITCH MCCONNELL's desk.

When you do that, that is the highest priority. Whatever it is on top of the desk is the highest priority. And we can say to MITCH: Bring this thing out to the floor of the Senate and send Heartbeat up to the President's desk.

If you can't do that, send the President to the States where the Democrats who will vote ''no'' on it are running for office. Remind them that America is now a pro-life nation, and this pro-life nation wants to pass pro-life legislation.

If they can't do it with the Senators who are seated over there now, they can do it with the Senators who can be seated over there next January. I believe that the conscience of America will be reflected if we send that over and put the bill on MITCH MCCONNELL's desk.

Here is the polling that we have also. There are some people who worry about public opinion. They should know their conscience and act off of their conscience. But off of public opinion, it works this way: the Heartbeat bill, H.R. 490. We have a Barna poll that was conducted, actually, February of last year.

It says that 86 percent of Republicans support the Heartbeat bill without exceptions, 61 percent of Independents support it without exceptions, and 55 percent of Democrats support the Heartbeat bill without exceptions. That is an astonishing thing to see that we have a majority of Democrats. I would call that a landslide if I won by 55 percent or more. This is a poll of a landslide among Democrats where we do have a Democrat or two or three who will vote for this bill. But, for the most part, that has been polarized here also.

We used to have at least 60 different pro-life Democrats who would come in and vote on pro-life legislation. Now I count maybe three. I hope that number is more. I regret that the parties have gotten this polarized, but some of this stuff happened when they had to walk the plank to vote for ObamaCare, and the people who replaced them were conservative Republicans. That is one of the reasons why we have so many cosponsors here on the Republican side—171 cosponsors here—and 162 national organizations or leaders have signed on.

I notice that Reverend Franklin Graham sent out a tweet in support of Heartbeat legislation here a couple of weeks ago. I am a great admirer and respecter of Reverend Graham, and I believe that his moral barometer matches that of any moral.

The support for this bill has come along well.

I will circle back to the resistance that we have that we need to overcome yet, Mr. Speaker.

While we reached a plateau on the Heartbeat bill, it became apparent to me that having one line in the water—however good that line is in the water here in the House of Representatives behind H.R. 490—it was also important to get some other lines in the water. The one thing that I could do was to take the Heartbeat bill and offer it up to the Iowa Legislature.

I had a conversation with State Senator Brad Zaun. He had a shot and would have made a good Congressman, but he is chairman of the Judiciary Committee in the Iowa Senate today. I had that conversation with him and had a conversation with Senator Jason Schultz. They took the Heartbeat legislation and brought that into the Iowa Senate.

The draft of that legislation was adapted to a bit of a degree to conform

to the State legislature. They worked that bill around through their caucus a little bit. The chairman of the Judiciary Committee there, Senator Brad Zaun, said: I am bringing this bill through committee. He was keeping me up to speed with what was going on.

That was an intense hearing before the committee. I am just going to speak on what I hear back channel—not that I was in the room. There were some people who wanted to stage a protest against the Heartbeat bill. So the chairman of the Judiciary Committee looked at them before he gaveled in the committee and said: If anybody has come here to protest, raise your hand, and I will throw you out now. I liked his approach. There was no need to throw anybody out because they actually behaved.

So there was a quiet, but an intense, hearing and markup before the Iowa Senate Judiciary Committee, and the Republicans all voted for the Heartbeat bill. Then here it sits on the calendar of the floor of the Iowa Senate.

Now the next big milestone needed to be reached, and that is that the majority leader, Bill Dix, brought the topic up before the caucus. That is closed door, so I am only speculating on what I picked up also back channel, Mr. Speaker. But he said to the 29 Republicans seated there in the caucus: Is there anybody here who doesn't want to vote for this Heartbeat bill? No one raised their hand, so the decision was made: We will bring it to the floor.

Well, it had been assigned to the chair of the subcommittee for the bill, who was Amy Sinclair. Amy Sinclair put together the subcommittee effort and prepared herself for an intense debate. It was expected to be an intense debate. I pointed out to her that my first debate on the floor of the Iowa Senate took me 7½ hours before I got my bill passed.

□ 1745

It was official English, by the way. It was a long, hard slog, to quote Rumsfeld.

Hers was entirely different. I thought there would be 6, 7, 8, 10 hours of debate. She brought the bill up, made eloquent opening remarks, rebutted a few of the remarks that were made on the other side, and 24 minutes later, the vote went up on the board, 30–20.

An independent voted also—and his name is David Johnson—for the heartbeat bill in the Iowa Senate, along with all 29 Republican senators, 30–20 on 24 minutes of debate.

And it rocketed over to the house of representatives, and, once again, I had the misconception of thinking to myself, this is going to be easy, but, like a lot of things in life, it isn't that easy.

So, as we began to see how the bill was going to move, if it moved at all, in the Iowa House, what I learned was that they didn't think they could move it, they didn't think they had the votes. The first whip check card that we worked on there—we needed 51 votes. There were 100 in the Iowa House. Of the 51 votes we needed, we only had 35. So a bunch of us went to work.

By the way, one of the people at the top of my list to thank here in this CONGRESSIONAL RECORD tonight, Mr. Speaker, is the Iowa representative of National Right to Life—who is not supporting this bill at the national level, and they need to lead, follow, or get out of the way. But their Iowa representative, his name is Scott Valencia, and he is of Iowa Right to Life. He was magnificent in the work that he did and the strategy that unfolded and in the network that he had put together with the pro-life community within Iowa.

I could always count on Scott being at the center, the nexus, of the communications on who was thinking what, who was saying what, and helping to inform us in the spreadsheet we put together to whip the votes.

Also on that list would be, from The Family Leader, Bob Vander Plaats, whom I have campaigned a lot with. We worked together to vote three supreme court justices off the Iowa bench. He and his team at The Family Leader, including Chuck Hurley, a longtime friend, and Danny Carroll, a former representative, were stellar in their efforts in focusing on how we would pull the votes together in the Iowa House.

There were 32 organizations in the Iowa pro-life coalition. Those are the organizations that I referenced, Scott Valencia, that put his finger on that pulse, but many of these people are people I worked with for years, that go back 20 or more years on this issue, and I am so proud of the work they did.

Our former majority leader here in the United States House of Representatives, Tom DeLay, made the trip up to Iowa to testify in favor of the heartbeat bill before a hearing in the Iowa House of Representatives, along with Dr. Kathy Altman, who was a witness for us here in Congress as well, Mr. Speaker.

So I am very, very grateful to all of these folks and many more, but the jobs that they did helped move this thing in the right direction. The hearing was intense, and there was strong testimony on both sides, but the voice for the unborn, the voice for the most innocent prevailed in that hearing. And it gave more confidence to some of the people that were reluctant to vote in favor of the bill on that night.

One of those people, I suspect—and I suspect only—would be Dave Heaton, who I count as a good friend. I have always enjoyed him and had a certain affection for the affable gentleman who has so many prime ribs down there in his restaurant in southeast Iowa, but when he voted ''yes'' coming out of committee, he said, ''Yes for now,'' and I thought maybe that was the end of it. But it turned out that we needed 51 votes. We wouldn't have had them if it hadn't been for the vote of Dave Heaton as he retires. God bless Dave. I appreciate his vote.

I appreciate the vote and the work of so many there in the house, including Speaker Upmeyer, who is a second-generation speaker of the house of representatives, who has earned her place there and has become a very stable and a master strategist on how to move legislation through the legislature, along with Majority Leader Chris Hagenow, who was fully behind the heartbeat bill from the beginning and, I think, kept a low profile publicly but did a lot behind the scenes.

Then another individual whose character I know well, and that is the Speaker Pro Tem Matt Windschitl, who has been part of this strategy all along, a very, very steady hand, a very, very clear strategist, somebody you want to ride the river with. He does come from over there in the river bottom, not very far from me.

I appreciate the strategy and the work that each of these individuals did, but this doesn't stop at this point either, Mr. Speaker.

The chairman of the Human Resources Committee, Joel Fry, did master work on it, as well as the floor manager in the Iowa House, Shannon Lundgren. Shannon, I believe, is in her first term, and I haven't gotten to know her personally, but here is the narrative that I get from the way she managed that debate in the house. It was a lot longer in the house. It went on for hours, 5 to 7 hours, something like that, perhaps more. The bill passed around 11:30 that night.

Shannon, when she had brought the bill up there, this was the critique that came to me, is that she started out slow, and you might start to wonder if she was going to be able to hold her own through that very, very grueling trial that had been assigned to her that she was, I think, eager and proud to take on, and she should be proud, because she got stronger as the night wore on.

So did a number of the other members of the Iowa House. They stepped up to defend their positions and to advocate their narratives. One of them would be Steve Holt. He and also Sandy Salmon, who had introduced her own bill, her own pro-life legislation, they were strong and many others were strong in the way they handled their debate.

I didn't put together a complete, analyzed list here, Mr. Speaker, because, for one thing, I just didn't have the time, but I recognize the risk in naming names. There definitely are people that I have left out. There will be others that I will try to thread in here, but there will always be people that are left out.

Some of them in the middle of this, though, were Jack Whitver, who is the leader in the Iowa Senate. I mentioned Amy Sinclair, the chair of the subcommittee and the floor manager in the senate. Senator Brad Zaun, whom I have talked with a lot and grown to admire, and I appreciate his drive. He

doesn't hesitate, he doesn't equivocate, he knows what he believes, and he strategizes and acts upon it. And Senator Jason Schultz, whom I first brought up this topic with.

I want to thank every representative and every senator who spoke and who voted for the heartbeat bill in the Iowa legislature. It was a phenomenal accomplishment.

Last year, they passed a 20-week, called sometimes the pain-capable bill. Many thought that would be the end of the effort on pro-life for a while, and they came back this year and passed heartbeat legislation.

Not only was it the work, not only was it the debate, not only was it the negotiations and the votes that were counted and the effort on the whip team from those elected members who worked inside the house of representatives and the senate, but also the outside groups, the 32 outside organizations and then some, that came together. It was a phenomenal, phenomenal effort that brought this together.

I wanted to say also a couple of words about how difficult this was for some of the most pro-life people that we had. I am not one who believes in exceptions. I don't believe that a baby that is a product of a rape should be executed for the crime of their father. Neither do I believe that that should be the case for a baby who is a product of incest, which might be the crime of the father and it might be the crime of the father and the mother. Those babies are innocent, and they should have every right to life of every other baby conceived at any other time under any other circumstances.

But it came to that place where there were either going to be exceptions or there was going to be no bill passed. I think there would have been a way we might have been able to resolve that, but by the time it came to that place on the calendar, that place on the clock, that place on the legislative clock, a decision had to be made: Are we going to bring a bill to the floor of the Iowa House with exceptions, or are we going to have no bill whatsoever? That was the decision. That was the crux of the matter.

Coming to that place of decision, the right decision is: Let's save all the lives we can. Let's take all we can and get as much done as we can. If we could come back with heartbeat after the 20-week bill last year, maybe next year we can come back to eliminate the exceptions or perhaps even do personhood, which is the goal of the pro-life community. It should be that case worldwide.

So I know it was a very difficult decision for some. I happen to know that Skyler Wheeler may be the most pro-life member of the Iowa House of Representatives, and it was a very difficult decision for him, but with Skyler Wheeler, we got to 51. We have a bill that then was sent on its way to the Governor's desk.

Before I mention the Governor any further, I want to also mention some of the other help that we had. This promise on heartbeat legislation is rooted back to a request made by Phyllis Schlafly just days before she passed away that I would draft and introduce heartbeat legislation here in Congress. I followed through on that commitment.

She was, in a time of her life, a living, breathing icon, the clearest political thinker of our time, a pure constitutionalist, a strong, faithful Christian woman who left her mark and her imprint across this Nation in many, many ways. I have powerful respect for Phyllis Schlafly, for her life, for her contribution, for her judgment, and for the promise that I made on the day of her funeral.

I made that promise sitting in discussion and consultation with Janet Porter of Faith to Action, who has been the driving force on this, the launching force on this from the beginning. And Janet Porter now may be the most driven pro-life activist in America, and she has accomplished a lot to get this started. She teamed up with Tom DeLay, our former majority leader here. He made his fame as the whip, maybe the best whip that we have ever seen here in the House of Representatives. Both of them worked pro bono on this to move the votes and get cosponsors signed up here in Congress, which gave a lot of credibility to the heartbeat bill on its way to the Iowa legislature.

In addition, one of the push-backs that we got in the Iowa House was, ''We don't want to spend taxpayers' money defending this legislation.'' It is something that they believe that—I mean, some of the folks would say: We will lose in court. So if you know you are going to lose, you can't spend taxpayers' money, knowing you are going to lose.

My response back to that was: We know we are going to lose at the lower court level. Anybody that argues that that is a reason not to move pro-life legislation, because we will lose at the district court level, we will lose at the circuit level, that is a given, because we have a strong precedent established by the United States Supreme Court in Roe v. Wade, Doe v. Bolton, and Planned Parenthood v. Casey. Of course the lower courts, respecting the Supreme Court, are not going to try to overturn a Supreme Court decision. We have to accept the idea that this will be litigated, it will go through the lower courts, and as it goes into the lower courts, we will lose at each turn until we get to the United States Supreme Court.

To give an example of how this worked in the past, on the ban on partial-birth abortion, which came to us about the end of the 1990s, as I recall, on the initial case, the ban on partial-birth abortion, that gruesome and ghastly procedure that is so, so awful, to describe it here on the floor of Congress is more than I will do here tonight, Mr. Speaker, but Congress banned that procedure.

Having banned that procedure, it was litigated by—guess what—Planned Parenthood, the advocacy group for abortion itself, and the Supreme Court struck down our ban on partial-birth abortion. Of course, they have to use a rationale, so their rationale was that the act of a partial-birth abortion wasn't precisely enough defined, that it was vague, and if it was vague, then how would the abortionist know if he is committing a crime or not. I said: ''You are killing a baby. That ought to be enough.''

Instead, the Supreme Court ruled to strike down our ban on partial-birth abortion, but they wanted a more precise description of it. And they argued that Congress had not established that a partial-birth abortion is never medically necessary to save the life of the mother.

□ 1800

So I arrived in this Congress shortly after that decision. We went to work on this. The chairman of the Subcommittee on the Constitution and Civil Justice at that time, where I am the chair of the Subcommittee on the Constitution and Civil Justice today, was STEVE CHABOT of Cincinnati, a strong pro-life advocate, and we held hearing after hearing in the Constitution and Civil Justice Subcommittee.

By the way, the chairman of the full committee at that time was sitting here just a few minutes ago, Mr. JIM SENSENBRENNER.

So we established, through congressional hearings, and wrote a new ban on partial-birth abortion that precisely defined the act of a partial-birth abortion that we would prohibit by statute and congressional findings, after hearings, that it is never necessary to commit this heinous act in order to save the life of the mother.

With those congressional findings coupled with the precise definition, we passed the legislation and sent it out again, and it was litigated again by, let's see, Planned Parenthood—or that was Carhart. LeRoy Carhart was the abortionist out of Omaha who was the lead on that case, Gonzales v. Carhart, as I recall.

But in any case, that precise definition that we drafted and the congressional findings that it is never medically necessary to save the life of the mother were enough to get the same Court to reverse themselves and accept the conclusions that Congress had drawn because we had conformed to their request.

So there is a case where the Court came down on the side of striking down our ban on partial-birth abortion, and then we brought it back through the courts again and it was tried in three circuits simultaneously, and in every circuit we lost. But then the cases were packaged together and they went before the United States Supreme Court, and then we won on the side of life.

The Court reversed itself, but we lost at every lower court level. We only had a chance to succeed at the Supreme Court. And that is going to be the case with this legislation, as well, because it directly challenges Roe v. Wade, Doe v. Bolton, and Planned Parenthood v. Casey.

So it has to get to the Supreme Court. We are going to lose until we get there. When we get there, especially if we arrive in the Supreme Court with a new appointment to the Supreme Court, we are looking at, more likely now, under today's circumstances, the potential of a 5–4 Court, a Court that would be coming down on the side of the Constitution and the strict constructionism that protects life.

We are obligated to protect life under the 14th Amendment. So if Congress can define life, we define it as, if a heartbeat is detected, that is life, the baby is protected.

And the cost of defending this case isn't going to fall on the backs of Iowa taxpayers, Madam Speaker. Instead, we have two organizations that have volunteered to step up, pro bono, to defend this case before the courts, and those two organizations are—this is the message from Matt Staver of Liberty Counsel—Liberty University, many will know it as—and that has produced a pretty good chief of staff in my operation, Sarah Stevens.

Matt Staver has agreed to defend this, pro bono. That is Latin for ''on the house.'' And also Martin Cannon of St. Thomas More Society will have agreed that they will also defend it pro bono. So we will see how this comes together, but it doesn't put the taxpayers of Iowa at risk.

So it makes it not only the right decision for life, the right decision for law, the right decision for our Constitution and, in particular, our 14th Amendment, it makes it the right decision for the taxpayers.

When we look at the society we live in today, the last time we had unemployment numbers down as low as we are seeing now, I remember them bringing a bill into the State legislature that would require all of the health insurance policies in Iowa to cover contraceptives. One of the arguments they made was we can't be having women missing work because they are pregnant, having babies. We need the labor force too much.

Well, that didn't fit to my analysis at the time, which is why I remember it. Instead, we need babies that will go to work in 18 or 20 years, and we need to sustain ourselves and our society.

I tell young people constantly, good people need to have a lot of babies and raise them right. That fixes everything that can be fixed. If good people raise their babies right and have a lot of babies, there will be enough people here to do the work we need to do; and we will create the jobs for others, and we will see people picking up and carrying their share of the load, pulling the harness instead of riding in the wagon. That is what saves this society.

But, in any case, here we are, Madam Speaker, with a bill that passed out of the Iowa House that night, on about Wednesday night of last week, at 11:30 at night—might have been Tuesday night, 11:30 at night. May 2 was, let's see. About 11:30 that night.

And the dedication of our Iowa senators was such that they said: Well, let's just take this up right away. Why don't you carry that across the rotunda and we will take it up on the floor of the Iowa Senate.

And they did. And after a fairly short debate, they passed it in the Iowa Senate.

Again, there were so many missing, but 29 to—let's see. I remember the lower number of it. But it passed easily out of the Iowa Senate, and it was messaged to the Governor that night, which would have been, I believe, May 2.

So by the time we got around to Friday, I found myself in South Carolina, at the invitation of the Governor of South Carolina, to talk about sanctuary cities, and we ended up doing a press conference also on Heartbeat, interesting conversation.

I think we enjoyed a friendship, and I expect that South Carolina actually had a Heartbeat bill in front of them that was—it would have been very hard for it to survive reaching the sine die part of their session because they were about done.

The same with the sanctuary city bill. We tried to do what we could with that, but anything that didn't pass down there I think comes up again next year, and they have got an extra boost to get that done.

I really appreciate the leadership provided by Governor Henry McMaster on the sanctuary cities and on Heartbeat, and we will make sure that we are supportive down there, as we have been in Iowa.

Also, Governor Ricketts of Nebraska has said: Send me a Heartbeat bill; I'll sign it.

I know that there are people in the Nebraska Unicameral that are preparing to bring Heartbeat in next year in Nebraska, and I know that it is also part of the Governor's debate in the race in Florida. So there are other States that are looking as well.

This could be something that spreads out across the countryside in State after State after State, Madam Speaker, but it would not have had this kind of momentum had it not been for Governor Reynolds, who had a bill signing ceremony on Friday afternoon at 3 in her formal office in the capitol and filled the office up with lots of young kids and good, steady, stalwart legislators who deserve a lot of credit and to take a bow for this.

I looked at the pictures of that bill signing ceremony, and it occurred to me that they probably saved as many lives just during the debate for Heartbeat as were represented by the children in Governor Reynolds' office.

I thank Governor Reynolds for signing the bill and putting it into law.

She had put out a statement a week or a little more earlier that said that she is proud to be part of the most pro-life administration in Iowa history. Well, she can now, with confidence and, hopefully, at least, an inner pride let us know that she has signed the bill, and it makes Governor Kim Reynolds the most pro-life Governor in the history of the State of Iowa.

This accomplishment came about because of the work done by people I have mentioned here and many, many more who worked on this, who prayed for this, who relentlessly pushed in the right direction to bring about a bill that could go to the Governor's desk.

Governor Reynolds had such a magnificent bill signing ceremony that sent such a strong message to the rest of the country; and that message to the rest of the country would be this, Madam Speaker: that Iowa, this purple State, this State that voted for Barack Obama twice—we also went for Donald Trump, I might add. But Iowa actually launched Barack Obama's campaign for the Presidency. He slipped in there from Illinois and got a big bounce in the first-in-the-Nation caucus, and off he went to the Presidency and to his reelect as well, with strong support out of Iowa. But he won Iowa each time.

So prior to President Trump winning in the 2016 election, the time before that that went Republican was George Bush's 2004 reelect. We worked that hard, and he won Iowa by only 10,000 votes.

The other time, the next time prior that Iowa had gone for a Republican President was Ronald Reagan's reelect in 1984. So that is how rare those Iowa victories are.

We are a purple State, but Iowa Republicans have put up excellent leadership, and excellent leadership has emerged from a coalesced Republican Party that has been very strong and has hammered out the planks in the platform over and over again. They ring with utter clarity to me when I read that platform these days, Madam Speaker.

So I put out this challenge to the States and the rest of the country: If purple State Iowa can pass Heartbeat and have the strongest pro-life legislation in the United States of America—of the 50 States, Iowa has the strongest pro-life legislation passed into law, signed by Governor Reynolds—then the challenge that is laid out there for the rest of the States is see what you can do. Take a look at Iowa's legislation. Move the cleanest you can. No exceptions is best because that baby's life begins at the moment of fertilization, and we need to protect innocent life from that point on.

But we can define the beginning of life medically by requiring an ultrasound, and that ultrasound, if it picks up a heartbeat, if a heartbeat is detected, the baby is protected. That

phrase rings in the conscience of Americans nationwide. That is why 86 percent of Republicans support Heartbeat, H.R. 490. That is why 61 percent of Independents, and that is why 55 percent of Democrats do.

And, by the way, that 55 percent of Democrats is why no Republican will lose their seat for voting for Heartbeat, because Democrats won't dare attack you for that. If they do so, they are going against their own base, their own people, who are 55 percent pro-life, even though I can only count about three over here among the Democrats who will be cosponsors of this legislation and, I think, that can define themselves as pro-life.

So I thank all of these individuals who have worked so hard to put this whole strategy together, and I spent some time speaking to the issue, Madam Speaker, because I want the people to understand that things don't come easy and good ideas don't just float to the top and sail off to be passed. It takes real work and real organization to get things accomplished, and determination and conviction and people who believe.

I look back at Dr. John Willke, who was the founder, the original founder of National Right to Life, and that is the oldest and the largest pro-life organization in the country. He said this: ''When I founded the pro-life movement, it wasn't to regulate how abortions would be done. It was to bring the abortion killing to an end. We have waited too long, and that wait has cost us too much.'' That is Dr. John C. Willke, cofounder and former president of National Right to Life.

Now, in their mission statement, I am not sure if I have it here in my text, Madam Speaker, but I will get it as close as I need to from memory if I don't have it.

National Right to Life's mission statement says that they are dedicated to protecting human life from the beginning of life till natural death. The beginning of life raised a question with me, so I went through their website to find out how they define the beginning of life.

They define it on their website, National Right to Life, as from the moment of fertilization. Life begins at the moment of fertilization, according to National Right to Life, and ends at natural death.

I agree with that. I think their mission statement is correct. I think we need to defend life from the moment of fertilization until natural death, and I think National Right to Life should do the same thing.

But they believe that we should not challenge the Supreme Court. They believe that we have to accept Roe v. Wade, Doe v. Bolton, and Planned Parenthood v. Casey, and we have to accept the idea of viability that was framed within the Casey decision. That is why they have supported the 20-week bill, to get up there close to the edge of viability, this idea that a 24-week baby can survive outside the womb, a 23-week baby can survive outside the womb, a 22½-week baby can survive outside the womb.

□ 1815

So under the supposition that we work our way back to actually a 21-week baby can survive outside the womb—and I saw data that said a 20½-week also. So the 20-week is marked down there to try to stretch the definition of viability just about as far as they could bring themselves to do so, but they fear challenging the Supreme Court.

They are accepting of the Supreme Court decisions, those decisions from 45 years ago, 60 million abortions ago, and they are stuck in the idea that we can't challenge the Supreme Court.

Well, how could you not challenge the Supreme Court of the United States? This is the United States Congress. Some teach it has three coequal branches of government. I said earlier it is not three. There is a superior branch of government. There is a branch of government that is the weakest of the three, defined by our Founding Fathers, to be the judicial branch of government.

And we have a decision that is called Marbury v. Madison that came in in the first years of the 19th century, where the Supreme Court asserted their authority to define the Constitution and tell us all what it means, and we have acquiesced to that, decision after decision, for over 200 years.

And how can it be that a Supreme Court of lifetime appointees that conceivably could all be stacked under the terms of one President and live for decades after that and stay on the Court after that that could invoke all kinds of havoc on God-given liberties, and we would have no way to appeal a decision of the Supreme Court? We just have to accept those decisions as if they are the final authority? They are God to us?

I say we respect them. I think we respect their jurisprudence. I think we carefully observe what they do. And I think that most of the decisions they make are soundly founded, but some of them are completely wrong.

And they have reversed themselves in their own history, which is utter proof that they are completely wrong.

I would point out that the clearest one is the Kelo decision. They haven't reversed it yet, but Justice Scalia said he expected it would be reversed at some time.

But this was the confiscation of property. The Fifth Amendment of the Constitution guarantees property rights. It says: ''Nor shall private property be taken for public use without just compensation.''

The Supreme Court of the United States, in the Kelo decision, in about 2005, struck those words ''for public use'' from the Fifth Amendment of the Constitution.

Now, how can we tolerate a decision like that and accept it because it comes from the Supreme Court? And does it live forever that way?

Does the Obergefell decision, that legal, rational thought out of nowhere, they impose same-sex marriage on every union in America? How is it that a decision made by either the Iowa Supreme Court or the U.S. Supreme Court has taken away the rights of my sons to be married as husbands and wives? Why does the Supreme Court get to visit with that edict?

Because we respect them, we accept those decisions, we don't question them, because the culture is what the culture is.

Well, the culture has got to change, and we have got to change our way of looking at this issue of abortion. We cannot sit around and twiddle our thumbs or wait until the Supreme Court is configured differently.

But we can do this: we can anticipate it will be configured differently. We can call upon the Supreme Court to reverse their previous decisions. This idea of stare decisis, the concept that once decided, a subsequent court has to accept the decision made by their predecessors, this Congress can't do that. Well, we can. We don't. We say: No Congress can bind a subsequent Congress. No Congress can say: You shall appropriate X dollars going into the future and have that be irreversible.

All decisions made by our predecessors in previous Congresses and signed by any previous President can be reversed by the United States Congress if it is our will to do that. We don't accept as sacrosanct a decision made by a previous Congress, and neither should we accept a decision as sacrosanct made by a previous Supreme Court. They should all be open to question.

Yes, we should respect their judgment, their jurisprudence, but we can't allow ourselves to be bound by those decisions, even if we have to go all the way back to challenge Marbury at some point.

But we won't have to do that, Madam Speaker, because I believe the next appointment to the Supreme Court brings a strict constructionist, an originalist, to the Court, as promised by President Trump.

He followed through with Neil Gorsuch. I believe he will follow through with a second appointment to the Court, if given that opportunity.

We need to move Heartbeat legislation over to the desk of MITCH MCCONNELL so we can begin to apply how we are going to get it off his desk and get it to the floor of the Senate and passed and over to President Trump's desk, where he will sign the Heartbeat legislation and where the very pro-life Vice President MIKE PENCE will be standing next to him when that day happens.

All of this needs to unfold here, Madam Speaker, and the obstruction really comes from the number one pro-life organization, the largest and the oldest: National Right to Life.

So I will put up only one poster here, Madam Speaker, and this is it. National Right to Life says, and this is off

of their site, they do not oppose the Heartbeat bill.

By my utilization of the English language, I don't know the difference between ''do not oppose'' and ''do not support.''

But what we need is support, not this intransigence that is going on, especially when the leadership in this House has essentially given the National Right to Life and two other organizations that, by the way, support the Heartbeat bill, a de facto veto that no pro-life legislation comes to the floor of the House of Representatives unless it is supported by the top three organizations in the country.

Supported by. Does not support. Why? Heartbeat matches their mission statement more closely than anything that they have supported before. And it is drafted with the anticipation that we would get it before the next appointment to the Supreme Court, not this one. And they fear that somehow we are going to lose some ground if we go to the Court before the Court is ready. And I say I fear for every year we fail to get the Heartbeat bill to the Supreme Court, we have on our conscience a million abortions in America taking place; a million little babies not born; a million little pairs of shoes that aren't going to be sitting there by that little bed, by that little crib; a million little children, as innocent as could be, who will never have the chance to live, to love, to learn, to laugh, to play, to fall in love, have children of their own, and raise their children with our American values in their hearts, our faith taught to them, their souls saved and demonstrated here as they lift our country up and the world up with the beliefs and the convictions that were passed to us from God through our Founding Fathers.

And we equivocate on something like this? And National Right to Life stands there, essentially in the way? Whether they do not oppose or whether they do not support, until that changes, this bill does not come to the floor, unless the Speaker changes his mind, the majority leader changes his mind, and the majority whip changes his mind.

So I call upon National Right to Life to take a look at Iowa. It may be news to them, Madam Speaker, that Heartbeat passed Iowa. It will be litigated. It will be on its way towards the Supreme Court, and maybe to the Supreme Court, but there is no acknowledgement that this has happened on the part of National Right to Life. It is as if it didn't happen for them, because they can't bring themselves to break out of the mold that they have been stuck in for years. This is a 45-year hidebound mold, and if it doesn't change, it is 1 million abortions a year, every year, until it does change.

This strategy, over the last 45 years, has cost the lives of 60 million babies. Now, I am not asserting that it could have been solved and reversed in the first year or 2, or 5, or even 10. But along the way, we have to make the case that the Supreme Court, if they don't change, cannot be allowed to be the final word on the lives of another 60 million babies.

So, Madam Speaker, congratulations to the State of Iowa, the Iowa General Assembly, the Iowa Senate, the Iowa House of Representatives, the Iowa Governor, the leadership in the House and in the Senate, all of those who teamed up and joined hands and worked relentlessly and persistently to bring this Heartbeat bill through, and the signature of Governor Reynolds. God bless them all for the job that they did. May we match their effort and their success here in the United States Congress.

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

PROPOSED RESCISSIONS OF BUDGET AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115–117)

The SPEAKER pro tempore (Ms. CHENEY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

In accordance with section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683), I herewith report 38 rescissions of budget authority, totaling $15.4 billion.

The proposed rescissions affect programs of the Departments of Agriculture, Commerce, Energy, Health and Human Services, Housing and Urban Development, Justice, Labor, State, Transportation, and the Treasury, as well as of the Corporation for National and Community Service, Environmental Protection Agency, Railroad Retirement Board, the Millennium Challenge Corporation, and the United States Agency for International Development.

The details of these rescissions are set forth in the enclosed letter from the Director of the Office of Management and Budget.

DONALD J. TRUMP.

THE WHITE HOUSE, *May 8, 2018.*

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 9, 2018, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4744. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Jan E. Tighe, United States Navy, and her advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

4745. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting the Department's 2018 Annual Report to Congress on Chemical and Biological Warfare Defense, pursuant to 50 U.S.C. 1523(a); Public Law 103-160, Sec. 1703; (107 Stat. 1854); to the Committee on Armed Services.

4746. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Federal Mortgage Disclosure Requirements Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2017-0018] (RIN: 3170-AA71) received May 2, 2018, 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.

4747. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] received April 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4748. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

4749. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-13, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4750. A letter from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting a notification of a federal vacancy, designation of acting officer, and 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.

4751. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2018 through 2022, pursuant to 5 U.S.C. 306(a); Public Law 103-62, Sec. 3(a) (as amended by Public Law 111-352, Sec. 2); (124 Stat. 3866); to the Committee on Oversight and Government Reform.

4752. A letter from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the 2017 management report and statement of internal controls of the Federal Home Loan Bank of Boston, pursuant to 31 U.S.C. 9106(a)(1); Public Law 97-258 (as amended by Public Law 101-576, Sec. 306(a)) (104 Stat. 2854); to the Committee on Oversight and Government Reform.

4753. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway and Biscayne Bay, Miami, FL [Docket No.: USCG-2017-0068] (RIN: 1625-AA09) received May 2, 2018, 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.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEWHOUSE: Committee on Rules. House Resolution 879. Resolution providing for consideration of the bill (H.R. 3053) to amend the Nuclear Waste Policy Act of 1982, and for other purposes. (Rept. 115–665). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BORDALLO (for herself and Mr. YOUNG of Alaska):

H.R. 5697. A bill to support wildlife conservation, improve anti-trafficking enforcement, provide dedicated funding for wildlife conservation at no expense to taxpayers, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUTHERFORD (for himself and Mrs. DEMINGS):

H.R. 5698. A bill to amend title 18, United States Code, to punish criminal offenses targeting law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. CURBELO of Florida (for himself and Ms. KUSTER of New Hampshire):

H.R. 5699. A bill to direct the Secretary of Health and Human Services to develop guidance on pain management and the prevention of opioid use disorder for hospitals receiving payment under part A of the Medicare program; to the Committee on Ways and Means.

By Mrs. BROOKS of Indiana (for herself and Ms. ESHOO):

H.R. 5700. A bill to amend the Communications Act of 1934 to direct the Federal Communications Commission to designate a national dialing short code for users of mobile voice service to reach public safety personnel in critical, but non-emergency, circumstances; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri (for himself, Mr. LIPINSKI, Mr. MULLIN, and Mrs. LAWRENCE):

H.R. 5701. A bill to establish an aviation maintenance workforce development pilot program; to the Committee on Transportation and Infrastructure.

By Mrs. BUSTOS (for herself, Mr. BEN RAY LUJÁN of New Mexico, and Ms. DEGETTE):

H.R. 5702. A bill to require the Secretary of Health and Human Services to develop a strategy implementing recommendations relating to the Protecting Our Infants Act of 2015, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COOPER (for himself and Mr. DUNCAN of Tennessee):

H.R. 5703. A bill to provide for the conveyance by the Secretary of the Army of certain property located in Cheatham County, Tennessee; to the Committee on Transportation and Infrastructure.

By Ms. DELAURO:

H.R. 5704. A bill to amend the Housing and Community Development Act of 1974 to provide additional funding under the Community Development Block Grant program for units of general local government to digitize and make available online information regarding violations of housing construction, building, and safety codes, and for other purposes; to the Committee on Financial Services.

By Mr. DONOVAN:

H.R. 5705. A bill to require each post office of the United States Postal Service to display the official portrait of the President and the Vice President; to the Committee on Oversight and Government Reform.

By Ms. HANABUSA (for herself, Mrs. DINGELL, Ms. BORDALLO, and Ms. GABBARD):

H.R. 5706. A bill to establish the Pearl Harbor National Memorial in the State of Hawai'i and the Honouliuli National Historic Site in the State of Hawai'i, and for other purposes; to the Committee on Natural Resources.

By Mr. KNIGHT (for himself and Ms. TSONGAS):

H.R. 5707. A bill to direct the Secretary of Defense to carry out a pilot program to improve the treatment of members of the Armed Forces for post-traumatic stress disorder relating to military sexual trauma; to the Committee on Armed Services.

By Mr. LAHOOD:

H.R. 5708. A bill to convey a parcel of land in Quincy, Illinois, to the American Legion Post #37, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. LANCE (for himself, Mr. TONKO, Mr. COLLINS of New York, Mr. GENE GREEN of Texas, Mr. BILIRAKIS, Mr. MOULTON, Mr. FLORES, Mrs. DINGELL, Mr. KING of New York, Mrs. CAROLYN B. MALONEY of New York, Ms. VELÁZQUEZ, Mr. FASO, Miss RICE of New York, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 5709. A bill to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RICHMOND (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. CÁRDENAS, Mr. ELLISON, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. HASTINGS, Ms. MOORE, Ms. WILSON of Florida, Ms. NORTON, Mr. JOHNSON of Georgia, Ms. FUDGE, Mr. POCAN, Mr. MEEKS, Ms. DELBENE, Ms. LOFGREN, Mr. SMITH of Washington, Mr. CAPUANO, Mr. BLUMENAUER, Mr. COHEN, Mrs. BEATTY, Mr. TAKANO, Mr. MCGOVERN, Ms. MCCOLLUM, Mr. WELCH, Ms. ESHOO, Mr. BUTTERFIELD, Mr. NADLER, Mr. SCHIFF, Ms. SCHAKOWSKY, Mr. CUMMINGS, Mr. RASKIN, Ms. JAYAPAL, and Mr. PALLONE):

H.R. 5710. A bill to develop and implement national standards for the use of solitary confinement in correctional facilities, and for other purposes; to the Committee on the Judiciary.

By Ms. SÁNCHEZ (for herself and Mr. GRIFFITH):

H.R. 5711. A bill to amend title III of the Public Health Service Act to allow National Health Service Corps members to provide obligated service as behavioral and mental health professionals at schools, other community-based setting, or patient homes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHRADER (for himself and Mr. WELCH):

H.R. 5712. A bill to amend title XIX of the Social Security Act to compel manufacturers to correct inaccurate classification data reported to the Medicaid rebate program, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SHEA-PORTER (for herself and Mr. KELLY of Mississippi):

H.R. 5713. A bill to amend title 10, United States Code, to clarify the effective date of the promotion of commissioned officers of the Army National Guard and Air National Guard, to improve processes for Federal recognition of the promotions of such officers, and for other purposes; to the Committee on Armed Services.

By Ms. LEE (for herself, Mr. SABLAN, Mr. ESPAILLAT, Mr. SOTO, Mr. CAPUANO, Mr. KIHUEN, Mrs. BEATTY, Mr. VARGAS, Mr. BEYER, Ms. BARRAGÁN, Mr. KHANNA, Ms. VELÁZQUEZ, Ms. DELAURO, Mr. SCOTT of Virginia, Mr. CARSON of Indiana, Ms. JAYAPAL, Ms. MAXINE WATERS of California, and Ms. NORTON):

H. Con. Res. 120. Concurrent resolution supporting a bold and sustained expansion of Federal investments in affordable rental homes; to the Committee on Financial Services.

By Mr. O'HALLERAN (for himself, Ms. WILSON of Florida, Mr. POCAN, Mr. RYAN of Ohio, Mr. CARSON of Indiana, Mr. TAKANO, Mr. MCNERNEY, Mr. VARGAS, Mr. DANNY K. DAVIS of Illinois, Mrs. BUSTOS, Ms. BONAMICI, Mr. PALLONE, Mr. SEAN PATRICK MALONEY of New York, Mr. ENGEL, Mr. CARBAJAL, Ms. WASSERMAN SCHULTZ, Ms. MOORE, Mr. HASTINGS, Ms. PINGREE, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. BARRAGÁN, Mr. GARAMENDI, Mr. BUTTERFIELD, Mr. PRICE of North Carolina, Mr. NORCROSS, Mr. COURTNEY, Ms. TITUS, Mrs. NAPOLITANO, Ms. DELAURO, Ms. HANABUSA, Ms. SPEIER, Mr. GONZALEZ of Texas, Ms. SINEMA, Mr. PETERSON, Mr. DEFAZIO, Mrs. DAVIS of California, Mrs. WATSON COLEMAN, Ms. BORDALLO, Ms. NORTON, Mr. BROWN of Maryland, Mr. CLEAVER, Mr. HIMES, Mrs. LAWRENCE, Mr. PERLMUTTER, Mr. ESPAILLAT, Mr. TONKO, Mr. COSTA, Mr. AL GREEN of Texas, Mr. KRISHNAMOORTHI, Mr. EVANS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LARSON of Connecticut, Ms. FUDGE, Ms. JACKSON LEE, Mr. VISCLOSKY, Ms. ADAMS, Mr. GALLEGO, Mr. SABLAN, Ms. KUSTER of New Hampshire, Mr. GENE GREEN of Texas, Mr. TED LIEU of California, Ms. ROSEN, Mr. ELLISON, Mr. CORREA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Miss RICE of New York, Mr. PETERS, Mr. KILDEE, Ms. SCHAKOWSKY, Mr. VELA, Mr. SERRANO, Mr. DESAULNIER, Mr. RASKIN, Ms. LOFGREN, Ms. SHEA-PORTER, Mr. MCGOVERN, Mrs. CAROLYN B. MALONEY of New York, Mrs. DINGELL, Mr. PANETTA, Mr. CICILLINE, Ms. LEE, Mr. FOSTER, Mr. SIRES, Mr. MCEACHIN, Ms. BLUNT ROCHESTER, Mr. KENNEDY, Mr. PAYNE, Mr. NADLER, Ms. KAPTUR, Mr. LANGEVIN, Ms. CLARK of Massachusetts, Mr. BEYER, Ms. VELÁZQUEZ, Mr. SCHRADER, Mr. BEN RAY LUJÁN of New Mexico, Ms. JUDY CHU of California, Ms. ESHOO, Mr. SOTO, Mr. MOULTON, Mr. LAWSON of Florida, Ms. CASTOR of Florida, Mr. LOWENTHAL, Mr. CONNOLLY, Ms. MCCOLLUM, Mr. CRIST, Ms. JAYAPAL, Ms. BASS, and Ms. BROWNLEY of California):

H. Res. 876. A resolution supporting the goal of increasing public school teacher pay and public education funding; to the Committee on Education and the Workforce.

By Mr. GOMEZ (for himself, Mr. CUMMINGS, Mrs. CAROLYN B. MALONEY of

New York, Ms. KELLY of Illinois, Mrs. WATSON COLEMAN, Ms. NORTON, Mr. CLAY, Ms. WASSERMAN SCHULTZ, Mr. ESPAILLAT, Mr. JOHNSON of Georgia, Ms. JAYAPAL, Mr. SOTO, Mr. PALLONE, Ms. BARRAGÁN, Mr. VARGAS, Mr. LEWIS of Georgia, Mr. CORREA, Mr. TAKANO, Mr. RASKIN, Mr. DANNY K. DAVIS of Illinois, Mr. DESAULNIER, Ms. VELÁZQUEZ, Mr. COOPER, Mr. COHEN, Ms. HANABUSA, Ms. SCHAKOWSKY, Mr. KILDEE, Mr. GARAMENDI, Mr. THOMPSON of California, Ms. MATSUI, Mr. NOLAN, Ms. GABBARD, Mrs. NAPOLITANO, Mrs. TORRES, Ms. JUDY CHU of California, Ms. TITUS, Mr. CASTRO of Texas, Mr. LYNCH, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MENG, Mr. TED LIEU of California, Mr. GUTIÉRREZ, Mr. VELA, Mr. SIRES, Mr. WELCH, Mr. SERRANO, Mr. CÁRDENAS, Mr. SMITH of Washington, Mr. CARBAJAL, Mr. KRISHNAMOORTHI, Ms. ROYBAL-ALLARD, Mrs. LAWRENCE, Ms. BASS, Mr. CICILLINE, Mr. YARMUTH, Mr. CONNOLLY, Mr. GRIJALVA, Mr. AL GREEN of Texas, Mr. PRICE of North Carolina, Mr. BROWN of Maryland, Mr. GALLEGO, Mr. RICHMOND, Mr. GONZALEZ of Texas, Ms. LEE, Mr. KIHUEN, Mr. SARBANES, Mr. CARTWRIGHT, Ms. CLARKE of New York, Mr. PAYNE, Mr. ELLISON, and Ms. SÁNCHEZ):

H. Res. 877. A resolution of inquiry directing the Secretary of Commerce to provide certain documents in the Secretary's possession to the House of Representatives relating to the decision to include a question on citizenship in the 2020 decennial census of population; to the Committee on Oversight and Government Reform.

By Mr. CROWLEY:

H. Res. 878. A resolution raising a question of the privileges of the House.

By Mr. GRAVES of Missouri (for himself, Ms. DELBENE, Mr. DELANEY, Mr. THOMPSON of California, Mr. MCGOVERN, Mr. BOST, Mr. GUTHRIE, Mr. EMMER, Mr. PERLMUTTER, Mr. LOEBSACK, Mr. PALLONE, and Mr. LUETKEMEYER):

H. Res. 880. A resolution recognizing the roles and contributions of America's teachers to building and enhancing the Nation's civic, cultural, and economic well-being; to the Committee on Education and the Workforce.

By Mr. LOUDERMILK (for himself, Mr. VARGAS, Mr. CONAWAY, Mr. HARPER, Mr. JODY B. HICE of Georgia, Mr. ADERHOLT, Mr. BRADY of Texas, Mr. WEBER of Texas, Mr. MESSER, Mr. NORMAN, Mr. HARRIS, Mr. FERGUSON, Mr. THOMPSON of Pennsylvania, Mr. KELLY of Pennsylvania, Mr. GOHMERT, Mr. WALKER, Mr. ESTES of Kansas, Mr. LAMBORN, Mr. BURGESS, Mr. PITTENGER, Mr. CURTIS, Mr. HUNTER, Mr. OLSON, Mr. GROTHMAN, Mr. LATTA, and Mr. JOHNSON of Louisiana):

H. Res. 881. A resolution recognizing May 3, 2018, as the 30th anniversary of the National Day of Prayer established under the Act entitled ''An Act to provide for setting aside the first Thursday in May as the date on which the National Day of Prayer is celebrated'', approved May 5, 1988, which was signed by President Ronald Reagan on May 5, 1988; to the Committee on Oversight and Government Reform.

By Mr. NORMAN:

H. Res. 882. A resolution expressing the sense of the House of Representatives during Teacher Appreciation Week regarding the importance of education, particularly civics education; to the Committee on Education and the Workforce.

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 accmnpanying bill or joint resolution.

By Ms. BORDALLO:

H.R. 5697.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2 ofthe U.S. Constitution.

By Mr. RUTHERFORD:

H.R. 5698.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. CURBELO of Florida:

H.R. 5699.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. BROOKS of Indiana:

H.R. 5700.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. GRAVES ofMissouri:

H.R. 5701.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 3.

''The Congress shall have power to regulate Commerce . . .''

Aviation maintenance is a vital component of our nation's aviation system. Without a healthy workforce of aviation technicians and mechanics, the interstate commerce conducted through our national airspace would be endangered. This legislation aims to promote greater study and promotion of this field as a career option for men and women weighing various career options.

By Mrs. BUSTOS:

H.R. 5702.

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. COOPER:

H.R. 5703.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. DELAURO:

H.R. 5704.

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 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DONOVAN:

H.R. 5705.

Congress has the power to enact this legislation pursuant to the following:

''clause 7 of section 8 of article I of the United States Constitution.''

By Ms. HANABUSA:

H.R. 5706.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. KNIGHT:

H.R. 5707.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. LAHOOD:

H.R. 5708.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution Article IV; Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. LANCE:

H.R. 5709.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec 8, Clause 3: Congress shall have the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mr. RICHMOND:

H.R. 5710.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Ms. SÁNCHEZ:

H.R. 5711.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18:

Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. SCHRADER:

H.R. 5712.

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 3 of the United States Constitution.

By Ms. SHEA-PORTER:

H.R. 5713.

Congress has the power to enact this legislation pursuant to the following:

Article 1, 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.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 154: Ms. JACKSON LEE.

H.R. 168: Ms. NORTON.

H.R. 237: Mr. PRICE of North Carolina and Ms. KAPTUR.

H.R. 754: Mr. TIPTON.

H.R. 785: Mr. HOLDING.

H.R. 820: Mr. FRANCIS ROONEY of Florida, Mr. COLLINS of Georgia, and Mr. DESANTIS.
H.R. 846: Mr. JOHNSON of Georgia, Mr. CORREA, and Mr. LATTA.
H.R. 850: Mr. SESSIONS.
H.R. 930: Mrs. DAVIS of California and Mr. WOMACK.
H.R. 936: Mr. LAMALFA.
H.R. 959: Mr. CLEAVER.
H.R. 980: Mr. HASTINGS.
H.R. 1038: Mr. TIPTON.
H.R. 1057: Mr. KILMER.
H.R. 1114: Mr. CAPUANO.
H.R. 1130: Mr. BARR.
H.R. 1156: Mr. LATTA.
H.R. 1204: Mrs. BEATTY.
H.R. 1212: Mr. MASSIE, Mr. NORMAN, Mr. GARRETT, Mr. SOTO, Mr. BARR, Mr. HULTGREN, Mr. GIANFORTE, Mr. SMITH of Missouri, and Mr. POCAN.
H.R. 1243: Mr. LARSEN of Washington.
H.R. 1261: Ms. HERRERA BEUTLER.
H.R. 1298: Mr. SEAN PATRICK MALONEY of New York and Mr. TONKO.
H.R. 1300: Mr. SMITH of New Jersey.
H.R. 1318: Mr. KING of New York.
H.R. 1322: Mr. POLIS.
H.R. 1447: Mr. KILMER.
H.R. 1516: Ms. CASTOR of Florida.
H.R. 1550: Mr. YOUNG of Iowa.
H.R. 1555: Mr. DAVIDSON.
H.R. 1606: Mr. PETERSON and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1680: Mrs. COMSTOCK.
H.R. 1697: Ms. SÁNCHEZ.
H.R. 1783: Mr. THOMPSON of Mississippi.
H.R. 1828: Ms. KUSTER of New Hampshire.
H.R. 1957: Mr. AGUILAR.
H.R. 2077: Ms. PINGREE.
H.R. 2119: Mr. MCEACHIN.
H.R. 2151: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. SOTO, Ms. ROYBAL-ALLARD, Mr. SCHIFF, and Mr. CARBAJAL.
H.R. 2234: Mr. REICHERT and Mr. CARBAJAL.
H.R. 2290: Mrs. LAWRENCE, Mr. HURD, and Mr. RUSSELL.
H.R. 2315: Mr. LANCE, Mr. CRAMER, Mr. WALKER, and Mr. DESAULNIER.
H.R. 2327: Mr. JOHNSON of Louisiana.
H.R. 2358: Mr. FITZPATRICK, Mr. SCHRADER, Miss RICE of New York, Mr. PANETTA, and Ms. MAXINE WATERS of California.
H.R. 2401: Mr. CAPUANO.
H.R. 2553: Mr. LUCAS.
H.R. 2556: Mr. EMMER.
H.R. 2591: Ms. CHENEY.
H.R. 2598: Ms. VELÁZQUEZ.
H.R. 2856: Mr. HULTGREN and Mr. CURBELO of Florida.
H.R. 2885: Ms. SINEMA.
H.R. 2938: Mr. BACON.
H.R. 2943: Mr. SEAN PATRICK MALONEY of New York.
H.R. 3195: Mr. GROTHMAN.
H.R. 3330: Mr. WESTERMAN.
H.R. 3378: Ms. SINEMA.
H.R. 3440: Mr. LIPINSKI.
H.R. 3456: Mr. DONOVAN.
H.R. 3528: Mr. HASTINGS.
H.R. 3593: Mr. BUCSHON.
H.R. 3605: Mr. LATTA.
H.R. 3617: Ms. WILSON of Florida and Ms. CLARKE of New York.
H.R. 3635: Mr. TIPTON.
H.R. 3666: Mr. THOMPSON of Mississippi and Mr. SENSENBRENNER.
H.R. 3692: Mr. SOTO, Mr. HIGGINS of New York, and Mr. LARSON of Connecticut.
H.R. 3988: Mr. TIPTON.
H.R. 4006: Mr. TONKO.
H.R. 4039: Mr. SEAN PATRICK MALONEY of New York and Mr. COLE.
H.R. 4082: Mr. MCEACHIN and Mr. PAYNE.
H.R. 4122: Ms. ROSEN.
H.R. 4223: Mr. RUTHERFORD and Ms. MCCOLLUM.
H.R. 4253: Ms. KELLY of Illinois.
H.R. 4284: Mr. SCALISE.
H.R. 4311: Ms. SEWELL of Alabama, Ms. SPEIER, and Ms. GRANGER.
H.R. 4444: Mrs. LAWRENCE, Mr. THOMPSON of Mississippi, and Mr. LANCE.
H.R. 4451: Mr. LAMB and Mr. PETERS.
H.R. 4468: Mr. FASO.
H.R. 4525: Ms. SHEA-PORTER.
H.R. 4585: Ms. LOFGREN.
H.R. 4699: Ms. SHEA-PORTER.
H.R. 4720: Ms. WILSON of Florida.
H.R. 4732: Mr. GARRETT.
H.R. 4754: Mr. GOTTHEIMER.
H.R. 4770: Mr. POLIQUIN and Ms. CASTOR of Florida.
H.R. 4957: Mr. PAULSEN.
H.R. 4962: Mr. TIPTON.
H.R. 5031: Mr. DEUTCH and Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 5041: Mr. POLIQUIN and Mr. MOULTON.
H.R. 5045: Mrs. DAVIS of California.
H.R. 5105: Mr. FITZPATRICK and Mr. POCAN.
H.R. 5129: Mr. LOEBSACK, Ms. WILSON of Florida, Mr. TED LIEU of California, and Mr. KING of New York.
H.R. 5132: Mr. NUNES, Mrs. COMSTOCK, Mr. ROTHFUS, Mr. AMODEI, Mr. CURBELO of Florida, Mr. LONG, Mr. JORDAN, Mr. ROSKAM, Ms. HERRERA BEUTLER, Mr. LANCE, Mr. SAM JOHNSON of Texas, Mr. THOMPSON of Pennsylvania, Mr. SCHWEIKERT, Mr. COSTA, Mr. EMMER, Mr. MCHENRY, Mr. VEASEY, Mr. WEBER of Texas, Mr. YOHO, Mr. WOODALL, Mr. SESSIONS, Mr. VELA, and Mr. HUIZENGA.
H.R. 5141: Ms. ESHOO, Mr. GIBBS, Mr. BARR, Mr. MCKINLEY, Mr. VELA, Ms. ROYBAL-ALLARD, Ms. SÁNCHEZ, Mr. SCHWEIKERT, Mr. HUFFMAN, Mr. COSTA, Mr. VEASEY, Mr. SMITH of Missouri, and Mr. CONNOLLY.
H.R. 5201: Ms. NORTON.
H.R. 5220: Ms. LOFGREN.
H.R. 5248: Mr. ROSS.
H.R. 5272: Mr. RENACCI.
H.R. 5281: Mr. JOHNSON of Louisiana.
H.R. 5291: Mr. CARTWRIGHT.
H.R. 5314: Mr. MCGOVERN.
H.R. 5358: Mr. CRAWFORD.
H.R. 5359: Mr. PERLMUTTER.
H.R. 5374: Mr. HECK, Mr. SARBANES, Mr. CASTRO of Texas, Mr. NEAL, Mr. MCGOVERN, Ms. CLARKE of New York, Mr. KIND, and Mr. MEEKS.
H.R. 5397: Mr. COLE.
H.R. 5422: Mr. BARLETTA.
H.R. 5433: Mr. SHERMAN.
H.R. 5547: Mr. YOUNG of Iowa.
H.R. 5551: Mr. DOGGETT.
H.R. 5561: Ms. SEWELL of Alabama and Ms. WILSON of Florida.
H.R. 5593: Ms. ROYBAL-ALLARD and Ms. NORTON.
H.R. 5599: Mr. LONG.
H.R. 5603: Mr. JOHNSON of Ohio.
H.R. 5606: Ms. NORTON, Mr. TAKANO, Ms. ESHOO, and Mr. MOULTON.
H.R. 5644: Mr. GONZALEZ of Texas and Mr. RUTHERFORD.
H.R. 5647: Mr. FORTENBERRY.
H.R. 5681: Mr. KINZINGER and Mr. SHERMAN.
H.R. 5685: Mr. SCALISE.
H. Con. Res. 8: Ms. ESHOO and Ms. HERRERA BEUTLER.
H. Con. Res. 20: Mr. SENSENBRENNER.
H. Res. 30: Mr. CROWLEY.
H. Res. 31: Mr. POLIS.
H. Res. 69: Mr. ENGEL.
H. Res. 199: Mr. MARCHANT.
H. Res. 220: Mr. NORMAN.
H. Res. 257: Mr. DESAULNIER.
H. Res. 274: Mr. LAMALFA.
H. Res. 401: Mr. KENNEDY and Mr. CROWLEY.
H. Res. 529: Mr. CARTWRIGHT.
H. Res. 763: Mr. HURD.
H. Res. 774: Mr. LAMB.
H. Res. 785: Mr. GIBBS and Mr. AUSTIN SCOTT of Georgia.
H. Res. 835: Mr. ZELDIN, Mr. STIVERS, Mr. CAPUANO, and Mr. FASO.
H. Res. 859: Mrs. LAWRENCE, Mr. BRADY of Pennsylvania, and Ms. BLUNT ROCHESTER.
H. Res. 869: Ms. NORTON, Ms. JACKSON LEE, Mr. CORREA, Mr. ELLISON, and Ms. MCCOLLUM.
H. Res. 870: Mr. NORMAN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

99. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 153 of 2018, urging the United States House of Representatives to Pass H.R. 4663 — the ''Know Your Vets Act''; to the Committee on Armed Services.

100. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 151 of 2018, urging the United States Senate to Pass S. 994 — the ''Protecting Religiously Affiliated Institutions Act of 2017''; to the Committee on the Judiciary.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164 WASHINGTON, TUESDAY, MAY 8, 2018 No. 74

Senate

The Senate met at 2:30 p.m. and was called to order by the Honorable ROB PORTMAN, a Senator from the State of Ohio.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hidden, continue to be our refuge and strength. Guide our Senators. Let Your peace rule in their hearts. May Your Spirit dwell in them richly, imparting Heaven's wisdom. Lord, give them steadfast hearts, which no unworthy faults can drag downward.

Lord, bless America. Make her a channel of justice, peace, and goodness to our world.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 8, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROB PORTMAN, a Senator from the State of Ohio, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. PORTMAN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

HONORING FALLEN U.S. CAPITOL POLICE OFFICERS

Mr. MCCONNELL. Mr. President, an important tribute took place in the Capitol this morning—the fifth annual memorial service for the four U.S. Capitol police officers who have died in the line of duty. Sergeant Christopher Eney, Officer Jacob Chestnut, Detective John Gibson, and Sergeant Clinton Holtz were remembered with a wreath-laying in the Capitol Visitor Center.

This year's ceremony marked the 20th anniversary of the 1998 Capitol shooting, when both Officer Chestnut and Detective Gibson were killed. Next week is National Police Week, and I will have more to say about the heroism of the professionals who put themselves in harm's way every day to keep others safe. Today the Senate honors the memories of these four fallen heroes.

Mr. President, on another matter, yesterday, the Senate advanced the nomination of the first of this week's judicial nominees, Judge Kurt Engelhardt. Those who join him on this latest slate for consideration are each well qualified. Each has received thorough examination from the Judiciary Committee, and each stands ready to serve on the Federal bench.

NOMINATION OF MICHAEL BRENNAN

Following the confirmation of Judge Engelhardt, the Senate will proceed to the consideration of Michael Brennan of Wisconsin to serve as a U.S. circuit judge for the Seventh Circuit. Mr. Brennan's nomination comes as only the latest distinction in a career marked by truly impressive legal accomplishments. In both public service and private practice, this graduate of Notre Dame and Northwestern University School of Law has developed a reputation for a keen legal mind and an unwavering commitment to the rule of law.

According to current and former peers on the Milwaukee County Circuit Court, Mr. Brennan has ''the mind, heart and soul of a great jurist'' and a ''keen understanding of the legal issues in sophisticated and complex litigation.''

Like Judge Engelhardt, Mr. Brennan has my full support, and I encourage my colleagues to join me in voting to confirm another fine nominee this week.

TAX REFORM

Mr. President, on a final matter, it seems that every day brings another piece of good news for middle-class workers and families and, like clockwork, another desperate attempt by

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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my Democratic colleagues to convince everyone that this growing tide of new prosperity is somehow a bad thing.

In the last few weeks alone, the percentage of Americans who are unemployed, underemployed, or who have given up finding a job has dropped to a 17-year low. Recently, new jobless claims reached their lowest level since 1969, and the total number of Americans who are receiving unemployment benefits is as small as it has been since—listen to this—1973.

Let me put that another way. Notwithstanding 45 years of population growth, there are fewer total Americans receiving unemployment benefits under President Trump and this Republican Congress than at any other point under Presidents Ford, Carter, Reagan, Bush, Clinton, Bush, or Obama. We all know economic indicators can be volatile, and Washington is far from the only force behind them. In fact, getting the Federal Government out of the way is often the solution. The headwinds that blew in the face of American entrepreneurs and small business owners for 8 years have died down. Now the wind is at their backs.

In December 2017, after just 1 year of Republican policies, optimism among American manufacturers hit the highest level ever recorded. In large part, that is because Washington had gotten out of their way. Back in 2013, more than 75 percent of manufacturers said an unfavorable business climate from taxes and regulations was a top concern. Now fewer than 19 percent have that worry. This is a real-life experiment in two different governing philosophies.

For 8 years, Democrats operated from the leftwing premise that businesses need to lose in order for workers to win. So they raised taxes, passed mammoth new regulations like Dodd-Frank and ObamaCare, and let runaway agencies like the EPA run roughshod over American businesses. That is what got us such lackluster results, year after year.

Fortunately, Republicans have taken a different approach—one that doesn't assume that Washington bureaucrats know best. We know that American workers can only thrive if thriving American businesses are creating jobs and raising wages. We have worked to enact an inclusive opportunity agenda to bring greater prosperity to everyone, and that is exactly what is beginning to happen.

From Florida to Indiana, Fifth Third Bank is raising its minimum wage for employees. Kroger is planning to hire 600 new associates across my home State of Kentucky. Nationwide data from the Bureau of Labor Statistics show that the amount employers spend on salaries and benefits grew more in 2017 than in any calendar year under President Obama—two different philosophies, and just 16 months in, two very different outcomes for American workers and middle-class families.

The ACTING PRESIDENT pro tempore. The majority whip.

NOMINATION OF GINA HASPEL

Mr. CORNYN. Mr. President, when I was a kid, I used to like to read the comics in the newspaper every day. Usually, it was some interesting caricature of real life that was particularly funny. Yet the sorts of caricatures we have been seeing in the past few days about the President's nominee to the CIA are not funny and are not comical at all. What we have seen is a gross caricature of this woman's distinguished 33-year career. I am talking about Gina Haspel at the CIA.

Our Democratic colleagues are stuck in the past. They are trying to, really, tag her with some of the more controversial episodes during the aftermath of 9/11. The fact is, that is a caricature of her three decades of hard work and service in spanning the globe while working in the intelligence community and trying to keep America safe. They, of course, need to get their facts straight regarding the episodes they complain about. The fact is that they have all been investigated, and Gina Haspel has been exonerated. They are wrong to ignore everything else she has done in her career, as well as the fact that she will be the first woman Director of the Central Intelligence Agency—someone enormously popular with the rank and file in her having come from within their ranks.

The particular episodes that we will hear talked about tomorrow at the open hearing before the Senate Select Committee on Intelligence involve enhanced interrogation techniques that were used in isolated instances in the days immediately following 9/11. These programs were, of course, vetted by all appropriate legal advisors and were depended upon in good faith by intelligence officers and the Department of Defense. Congressional leaders were briefed on them and had no objection because the threat immediately after 9/11 was that al-Qaida had been meeting with some Pakistani nuclear scientists, perhaps with the objective of getting a nuclear device that they could use to kill more Americans and more innocent people. This was, truly, an emergency situation, and policymakers were demanding that our military and intelligence community do everything they could to prevent another 9/11 attack.

It is fundamentally unfair for some to want to change the rules after the fact now that we are feeling safe and secure, and it is obscene to hold intelligence officials responsible for policy decisions that they did not make but which they were charged with executing. We expected them to be executed—''we'' being the policymakers in the executive and legislative branches.

I mentioned the declassified 2011 Michael Morell memo yesterday, which exonerates Ms. Haspel from this allegation that she somehow played a part in destroying videotapes of enhanced interrogation. In the memo, Morell, who was then the Acting Director of the CIA, found no fault with Ms. Haspel's performance and indicated that she acted appropriately in her role as it related to carrying out her supervisor's orders. Again, she was not the one who actually destroyed the tapes but, rather, acted on her supervisor's instructions to draft a cable that she expected to be vetted with the appropriate authorities and policymakers within the CIA structure.

Mr. Morell himself added a statement following the memo's release that Ms. Haspel did not destroy the videotapes of the enhanced interrogation techniques that were used on post-9/11 detainees. He said that she did not oversee their destruction either, and she did not order their destruction.

Nevertheless, I will bet one is going to hear a lot about this at tomorrow's hearing before the Senate Intelligence Committee. It is unfair to focus on an isolated event in an attempt to try to suggest that she acted inappropriately when her supervisors, including the Acting Director of the CIA, found no fault with her actions, and any allegations that she bore personal responsibility for destroying the videotapes have been affirmatively disproven.

We know from her career timeline that was produced by the CIA that Ms. Haspel spoke French and Spanish prior to joining the CIA and learned Turkish and Russian. That is interesting because, in fact, we can't know a lot in a public setting of some of her classified activities as a member of the Central Intelligence Agency. That is the nature of the work, that being that intelligence officers willingly accept the responsibility to keep classified information secret so as not to expose sources and methods that would endanger lives and undermine our ability to get intelligence to our policymakers so they can make good decisions.

Clearly, she is a student of languages and cultures around the world—exactly the kind of person you would want to lead an agency that operates internationally, like the Central Intelligence Agency. We know from declassified documents that she had field assignments in Africa and Europe in the late eighties and nineties and then went on to become station chief at multiple locations before becoming the Deputy Director of the CIA. When she worked abroad in the eighties, she encountered none other than Mother Teresa and helped arrange a phone call between Mother Teresa and President Reagan. Then she visited a local orphanage with the famous nun.

Of course, as I said, we can't talk about all of the details of her invaluable years of service here on the Senate floor because much of that information remains classified. Indeed, tomorrow, we will have an open, declassified setting, followed by a closed, classified setting so members of the committee can get answers to their questions. Yet we do know about some of the successes that the CIA and the U.S. Government achieved during the 30-plus years she served, and some of those are worth mentioning here.

I am talking, first and foremost, about killing al-Qaida's key leaders and undermining the terrorist group's operations. We, of course, remember the raid that killed Osama bin Laden 7 years ago, which was the culmination of many years of advanced intelligence operations by people just like Gina Haspel. The CIA is responsible for collecting the dots and then connecting the dots so that policymakers can make important decisions, as in President Obama's decision to take out Osama bin Laden once he had been located. The CIA and Gina Haspel deserve tremendous credit for the indispensable role she and they played.

There are also things like the disruption of Najibullah Zazi's plot to bomb the subway in New York in 2009—another major intelligence and law enforcement success. An al-Qaida recruit, Zazi trained with the group in Pakistan and returned to the United States to build explosives for what could have been a devastating attack. According to news reports, it was through our intelligence collection efforts that we identified Zazi and that he was eventually arrested and convicted. The CIA is involved in far more than just counterterrorism operations. It deserves credit for all other equally important work, as well, some of which Ms. Haspel and her colleagues, undoubtedly, participated in.

We know the intelligence community targets all aspects of international criminal organizations, for example, and, of course, there are many more successes that will never see the light of day because those wins must be kept secret so that ongoing operations and sources that supply information and tactical methods are protected so they can remain useful in the future.

As Jane Harman—a 9-term former Democratic Member of the House of Representatives—wrote not long ago:

> The [Intelligence Community] has been the tip of America's spear for decades. Selfless men and women have put their lives on the line—often doing work their families are unaware of—to keep us safe, and they have. Yes, there have been some tragic failures, but far more impressive successes.

That is from one of our former Democratic colleagues. Her words, of course, apply to Ms. Haspel's career as much as they do to any other intelligence professional's.

Ms. Haspel has put her life on the line to keep us safe, not for the glory, because most of what she has done has happened undercover in a way that does not reveal important sources and methods or expose other people to retaliation or attack. When we consider her nomination this week, we must see it in the light of all of the CIA's successes, not as a caricature and misrepresentation of a couple of events that occurred post-9/11. Men and women like her do what they do not because of the notoriety. It is just the opposite. They do it because they love their country and want to prevent it from harm. Ms. Haspel is no exception, and she is deserving of our profound appreciation. To demonstrate that appreciation, we need to get her confirmed.

PRISON REFORM

Mr. President, one other thing on my mind today is prison reform.

Last week, my colleagues Congressmen COLLINS and JEFFRIES announced they had reached a bipartisan deal that will be marked up tomorrow in the House Judiciary Committee. I filed the same revised bill in the Senate yesterday with Senator WHITEHOUSE, our Democratic colleague from Rhode Island. I have been focused on this issue of prison reform for some time, along with a number of our colleagues on both sides of the aisle, and now it has gotten some real traction thanks to President Trump and a roundtable he hosted at the White House earlier this year.

More than 11 million people go to jail each year in the United States, and there are currently 2.3 million people in confinement. Conservatives should be concerned by those statistics for multiple reasons. For starters, the vast majority of people who end up in prison, of course, eventually reenter society. That is something we should be concerned about no matter where we stand on the ideological spectrum because people in prison will typically get out of prison. The question is: Will they be prepared for a life of crime or will they be prepared to enter a lawful society and contribute as law-abiding members?

For too long, our prisons have simply been warehouses. They have just warehoused people and not prepared or helped them to reenter society by teaching them the skills and giving them the training they need to become productive. These people leave prison and often return to a life of crime. Many have drug or alcohol addictions. Many of them lack the basic education or skills they need in order to get jobs in a lawful society.

We believe that the revolving door of recidivism—going to prison, getting out of prison, ending up back in prison—must end. Incarceration is expensive and separates offenders from their families. In other words, there is more than just the person behind bars who pays the price when someone goes to prison. We need to consider the families who are separated from their loved ones who suffer as well. This, of course, adds stresses that we can only imagine—single parenthood for those left behind and the heightened challenges of raising children as single parents in individual households.

States like Texas and others across the country have used prison reform to tackle their recidivism rates and have improved lives, lowered crime rates, and saved money too. I am glad that the legislation the House will mark up this week mirrors Texas reforms.

Among its other provisions, the bill will increase the number of good time credits for good behavior in prison—a good incentive for people to cooperate and behave while in prison. It will limit the use of restraints on pregnant prisoners, which seems entirely appropriate, and it will improve audits to reduce or eliminate prison rape. Prison guards will be required to receive so-called de-escalation training, and the Federal Prison Industries will be able to sell products to private nonprofit organizations much more easily so that inmates will be able to learn skills they can use productively while they are still in prison and that they can use once they leave prison.

In conclusion, I look forward to a bill that will have broad bipartisan and bicameral support not only by the House but by the Senate and accomplish this important goal.

Some of the sentencing reform legislation that I and others have previously supported has proved to be so controversial that we have been unable to get it passed here in the U.S. Senate because of there being a lack of support for that combination of sentencing reform and prison reform. What we have tried to do in a way that, I believe, is entirely pragmatic and appropriate is to take the first step on prison reform and get that passed by both Houses and signed by the President. Then we can continue our work on other aspects of criminal justice reform following that success.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

REMEMBERING MICHAEL BEAVER

Mr. MERKLEY. Mr. President, we have all heard the sad news. While we were back in our districts last week, our Assistant Parliamentarian, Michael Phillip Beaver, passed away unexpectedly at the very young age of 39. Family and friends gathered this morning to celebrate his life.

Born in Mount Pleasant, he was the son of Linda Susan Beaver and William R. Beaver. He was a graduate of Saint Vincent College, where he studied political science with a minor in graphic design, and he earned his juris doctorate from the Ohio State University Moritz College of Law. He was a member of the Ohio and the California State Bar Associations.

Most recently, he served here in this Chamber as the Assistant Parliamentarian. Prior to that, he served as the deputy legislative counsel for the State of California. Aside from being a brilliant attorney, Michael was passionate about hockey and music. He was a talented cook, an avid gardener, and a gifted artist.

He was a loving husband to his wife, Gilda, and was a caring, fun, and patient father to his two young boys, Bradley Dastan Beaver, age 3, and Connor Milad Beaver, age 2.

It is hard to believe that an unexpected medical condition could end his life so soon at the age of 39. He was contributing so much to the United States and so much to his family. We will greatly miss him here as I know he will be missed by a very wide expanse of family and friends and community.

Mr. President, I come to the floor to address one aspect of our ''we the people'' Nation. In writing the Constitution, our forefathers put those words, ''We the people,'' in supersized font, so even if you are far away and you can't read the fine print, you know the mission statement of our Constitution. It was all about, as President Lincoln summarized, a ''government of the people, by the people, [and] for the people,'' always intended to be the opposite of governments by and for the powerful.

Yet what have we seen in 2017? Much of the year was spent on a healthcare bill designed to destroy healthcare for some 22 to 30 million Americans. That is not government by the people or for the people; that is government by and for the powerful.

We saw a tax bill that borrowed $1.5 trillion from the people of the United States—which our children will have to repay—and gave it to the wealthiest Americans. That is not government by and for the people; that is government by and for the powerful.

We saw the theft of a Supreme Court seat for the first time in our history—a Supreme Court seat sent when it was vacated by the death of Antonin Scalia from one Presidency to the next, more than a year in the future in order to sustain a 5-to-4 Court decision called Citizens United, which allows a powerful America to spend unlimited sums, contaminating our political system with hundreds of millions of dollars, corrupting this Nation. That is not government of, by, and for the people; that is government of, by, and for the powerful.

Now we see the ongoing effort to pack the courts. Although I have heard complaints from some of my Republican colleagues about the slow pace of nominees, we see that the pace is very fast compared to the pace that existed for President Obama. For the first 14 circuit court nominations, they waited under President Obama an average of 251 days, but under President Trump, in less than half the time at 125 days—a breakneck pace—we have seen more nominees confirmed. If we compare from the start of the Presidency to this far into the Presidency under President Obama, we had a total of 21 nominees—9 circuit court nominees, 11 district court nominees, and 1 Supreme Court nominee, totaling 21. We see that under President Trump there are confirmations for 15 circuit court nominees, 17 district court nominees, and the filling of a Supreme Court seat, a stolen seat. There are 33—12 more—and more than 50 percent faster. So the argument that anything is being slow-walked is completely false.

We see all kinds of efforts, though, to rush nominees through without proper consideration. Last year, we had cloture votes on four circuit court nominees in a single week. We had cloture filled on three nominees within hours of being reported out of committee—and not reported out of committee unanimously but with divided votes. We know that when something comes out of the committee, there needs to be time for the rest of the body to be able to exercise their efforts to understand the background of that nominee. Often new information is turned up. For example, with Brett Talley—nominated for the district court—after he came out of committee, then it became known that he had written controversial commentaries defending the KKK, and he had belittled the Sandy Hook tragedy where little children were slaughtered. We found that out after he came out of committee. Yet cloture is being filed right after nominations come out of committee. We even had an individual who was rated ''not qualified'' by the American Bar Association. That, my colleagues, is rare.

The tradition of bipartisanship and cooperation involving the blue slip goes back a long way—since about 1917, a little more than a century. Senator Thomas Hardwick objected to President Wilson's district court nominee. He wrote on a blue slip of paper, saying: ''I object to this appointment—the same is personally offensive and objectionable to me, and I can not consent to the confirmation of the nominee.'' Thus began the blue-slip tradition of courtesy and respect for the viewpoint of Senators from a variety of States.

Under President Obama the blue slips were honored, whether they came from a Democrat or from a Republican. In fact, 18 of President Obama's nominees were blocked by Republican blue slips because they were honored by the Democrats.

In 2009, we had a letter from my Republican colleagues, and it said about the practice of observing senatorial courtesy that ''we, as a Conference, expect it to be observed, even-handedly and regardless of party affiliation.'' Isn't the sentiment expressed in 2009 appropriate for 2018?

Let me state that in the history of these 100 years, not a single nominee has been approved over the objection of two Senators from the relevant State. The former Republican chairman, Senator HATCH, said:

> Weakening or eliminating the blue slip process would sweep aside the last remaining check on the President's judicial appointment power. Anyone serious about the Senate's constitutional ''advice and consent'' role knows how disastrous such a move would be.

I would like to know how many folks in this Chamber are still serious about the Senate's constitutional advice and consent role.

Chairman GRASSLEY said in 2015:

> This tradition is designed to encourage outstanding nominees and consensus. . . . I appreciate the value of the blue-slip process and also intend to honor it.

He did honor it while President Obama was in office, but now, apparently, the world is a different place. Look what is happening on the Senate floor this week. We have a nominee, Michael Brennan, whose views on women's rights, civil rights, education, criminal justice, sexual discrimination, and judicial precedent are out of the mainstream. His nomination has moved forward despite the opposition and over the objections of a home State Senator. This is a seat, by the way, that is open because the blue-slip process was honored. The objection through a blue slip was honored under President Obama.

There are more extreme nominees coming through. So if we think back to that point made by Senator GRASSLEY that ''the tradition is designed to encourage outstanding nominees and consensus,'' we are seeing that the decision not to honor it is doing the reverse.

There is Kurt Engelhardt, a nominee for the Fifth Circuit. His record on the district court is deeply troubling, particularly when it comes to cases regarding sexual harassment, discrimination, civil rights, discriminating against women in the workforce who choose to have children—a right that should be open to every American woman without fear of losing one's job. Yet, last night, this body voted for cloture and is sending his nomination to a final vote.

We have Joel Carson, nominee for the Tenth Circuit, who has spent most of his career deeply embedded in advocating for fossil fuel interests. That is a huge conflict of interest for being able to weigh in as a judge on any issue regarding energy.

Then we have the case in Oregon. The chairman of the Judiciary Committee has scheduled a hearing for Mr. Ryan Bounds tomorrow, despite the fact that Senator WYDEN and I have not returned our blue slips. Should this nomination come forward to this floor and be confirmed, this will be the first time in the history of the blue slips that the combined objections of both home State Senators have been ignored.

One might ask: Why is it that Senator WYDEN and I feel so strongly about this particular nominee? Well, first, the White House didn't consult with us. They brought him in for an interview and decided they were going to nominate him without consulting the home State Senators. Any Member of this body who wants to stand up for consultation would stand against this nomination. Oh, the White House says that they consulted. They have a very strange definition of consultation. I think they mean it to say that they informed us about their decision. We asked the White House to stand aside until our committee back in Oregon had completed its work, but they chose not to. That is not consultation.

There are the inflammatory writings of this individual regarding the rights of workers, people of color, and the LGBTQ community. The Alliance for Justice said in their report on this nominee, Mr. Ryan Bounds, that his ''writings reveal strong biases that call into question his ability to fairly apply the law and maintain confidence in the

justice system's ability to dispense even-handed justice to all.''

Shouldn't that be the heart of the nomination process, that we make sure we are sending forward individuals who add to the integrity of our judicial system, not individuals who take away from it?

During his interviews with our committee out in Oregon—this committee continued its work, even though the President nominated him without waiting for the committee to finish its work. The committee asked him if he had controversial writings or events in his life that he needed to disclose, and he said that he did not. He did not disclose them. This is not an ancient failure of integrity; this is an immediate, recent past failure of transparency and integrity.

The letter we received from the chair of Oregon's Federal Judicial Selection Advisory Committee states:

> I am writing to you as Chair of the [Oregon] Federal Judicial Selection Advisory Committee. I have reviewed a recent piece in the Wall Street Journal titled ''Give Amnesty for College Writings.'' The piece concerns Ryan Bounds, a candidate for the Ninth Circuit Court of Appeals vacancy, and specifically states that our committee recommended him. The piece notes Mr. Bounds' writings, but fails to point out Mr. Bounds never disclosed those writings to the committee at any point in the interview process. Since that time, I have heard from four members of the judicial selection committee specifically with regard to this omission. I can say with confidence that those four committee members as well as myself would not have ranked Mr. Bounds as we did had we known about these deeply troubling writings.
>
> Mr. Bounds' writings themselves are objectionable not only for the views they express, but for the intemperate and demeaning tone that he uses to express his opinion. Equally, if not more disturbing, Mr. Bounds failed to disclose these writings when specifically asked by the committee about his views on equity and diversity. Although he felt free to volunteer details about his life going back to childhood, he misled the committee in response to this important inquiry. For this reason, five of the seven committee members no longer recommend Mr. Bounds.

That is what we heard from the Oregon committee.

We have a responsibility to the institutions of governance of the United States of America, with the fundamental principle embedded in those three words: ''We the People''—government of, by, and for the people. We have seen a series of significant bills where it is the exact opposite of this: bills designed to destroy healthcare for millions of Americans, bills that put us deep in debt in order to deliver the proceeds to the richest Americans. It is perhaps the biggest bank heist in the history of the world.

Now we see an effort to sully the integrity, to damage the legitimacy of our courts. That is unacceptable, and we need to rethink our course and honor our responsibility to strengthen, not undermine, the beautiful architecture of our ''we the people'' Nation.

Thank you.

The PRESIDING OFFICER (Mr. HOEVEN). The assistant Democratic leader.

NUCLEAR AGREEMENT WITH IRAN

Mr. DURBIN. Mr. President, I think we should be honest with ourselves and the people around the world and present the reality of what Iran is today.

Iran pursues a host of dangerous activities around the world that threaten the United States, its interests, and its allies. It is fomenting a proxy war in Yemen. It supports Hezbollah and Hamas. It appears to be using its foothold in Syria to test Israel's defenses. And in tragic irony, Iran supports the Syrian butcher Bashar al-Assad, who has stooped to using chemical weapons and barrel bombs to kill his own people. How a regime like the Iranian regime—whose own people suffered under heinous chemical attacks from Iran during the Iran-Iraq War—can stand behind Assad and Syria is incredible.

Having said that, we entered into an agreement with Iran to stop them from developing a nuclear weapon. Despite all these other challenges and all the differences we continue to have with Iran, we said that—gathering together with allies around the world—we wanted to make certain that Iran did not develop a nuclear weapon. There were lengthy negotiations and agreements, which led to the nuclear agreement with Iran to stop its development of nuclear weapons. I think it was a critically important step forward because Iran with a nuclear weapon would be a danger not only to Israel and the Middle East but also to the world.

It was that agreement which I supported and which was overwhelmingly supported by Democrats in the Senate when President Obama negotiated it. The Republicans opposed it. The candidate for President on the Republican side, Mr. Trump, said that it was a terrible agreement, and he thought we should never have entered into it. He had all sorts of derogatory things to say about the Iran nuclear agreement. But the fact is, that agreement went in place and was implemented. International inspectors were sent into Iran. Those inspectors enforced that agreement and have reported to the United States—and personally to Members of the Senate, including me—repeatedly that Iran is complying with the terms of this agreement and is not developing a nuclear weapon. For all of the differences we have with Iran, the facts and the evidence are clear: They were living up to the terms of the nuclear agreement so that they would not develop a nuclear weapon and threaten Israel and that region of the world.

Despite the progress made by this agreement, today President Trump announced his decision to halt the waiver of sanctions related to Iran and the nuclear agreement—in essence, to step away from the agreement and to say that the United States will no longer be party to it. That nuclear agreement with Iran removed the threat of nuclear weapons being used to pursue destabilizing Iranian activities. Just imagine how hard and difficult it would be to push back on Iranian aggression if, in fact, they had a nuclear weapon. The purpose of the agreement was to avoid that possibility—the very agreement President Trump walked away from today.

Because of this agreement, Iran's nuclear weapon program has been stopped in its tracks. In fact, you have to go back over 10 years to find any plans being made in Iran in the past to even consider it. The agreement was working. International inspectors have unprecedented access to Iran to watch for cheating. Iran does not have a nuclear weapon or a quick breakout ability to make one. These are real accomplishments toward world peace.

We live in a dangerous world. President Trump's decision today will make it more dangerous. By eliminating U.S. participation in this agreement to stop the development of nuclear weapons in Iran, we run the real possibility that terrible things will follow—terrible things that will cost human life and cause even more misery around this world.

Let's be clear. That agreement clearly states that ''Iran reaffirms that under no circumstances will Iran ever seek, develop, or acquire any nuclear weapons.'' That is an unequivocal statement. And to ensure that Iran never does, the agreement provided for ongoing inspections by the International Atomic Energy Agency. They weren't just inspecting the obvious places; they were inspecting the entire supply chain that Iran would have to turn to to develop a nuclear weapon.

Ernest Moniz was Secretary of Energy under President Obama. He is a physicist by training. He has received global recognition for his expertise. He sat at the table because he knows what it takes to develop a nuclear weapon. He put into this agreement which President Trump is walking away from today the kind of access for inspection that gives us the assurance that Iran cannot cheat, and if they tried, we would catch them.

Anyone arguing that Iran is allowed to build a nuclear bomb under this agreement after a certain period is simply wrong and misleading the American people. I have met with IAEA Director General Amano several times. Each time, I was very blunt and direct with him: Tell me what your experience has been in Iran. Tell me, if your inspectors wanted to go through a certain door, inspect a certain installation, go inside a certain facility, were they stopped by Iran?

He told me: If we were stopped and protested, they opened the door. We have never had a failure of access.

That is what he told me repeatedly, over and over again. He said the same thing to Democratic Senators he spoke with—that Iran was in compliance with the nuclear agreement and that IAEA inspectors were able to resolve any

areas. Where they contested and said ''We should have access,'' they were given access.

I hope President Trump will actually read this agreement. I wish he had sat down and spent a few minutes with Inspector Amano before making this fateful decision today. I know it is probably good political theater for some to blast any international agreement or related effort that was taken up by President Obama, but let me remind my colleagues of other negotiations undertaken with troubling regimes that served our national security interest.

It was President John Kennedy who negotiated with the Soviets during the Cuban missile crisis, bringing us back from the brink of nuclear war.

It was President Richard Nixon who negotiated with the Chinese on normalizing relations, even while that Communist regime was providing weapons to the North Vietnamese who were fighting our soldiers.

Of course, who can forget that it was President Ronald Reagan who negotiated with the Soviets while that Communist nation had thousands of nuclear warheads pointed at the United States of America? They were occupying Eastern Europe, and they were supporting troubling regimes around the world. Yet President Reagan sat down and negotiated with them.

Let's recall how many on the right of the political spectrum savaged President Reagan for negotiating with the Soviets on nuclear arms reduction. Let me read an excerpt from the January 17, 1988, New York Times about the opposition President Ronald Reagan faced in negotiating an arms agreement with the Soviets—criticism eerily familiar to what we have been hearing today from President Trump. Here is what they said about President Reagan:

> Already, right-wing groups . . . have mounted a strong campaign against the INF treaty. They mailed out close to 300,000 letters opposing it. They have circulated 5,000 cassette recordings of Gen. Bernard Rogers, former Supreme Commander of the North Atlantic Treaty Organization, attacking it. And finally, they are preparing to run newspaper ads this month savaging Reagan as a new Neville Chamberlain, signing an accord with Hitler—

Of his day—

> and gullibly predicting ''peace for our time.''

The conservative National Review's May 22, 1987, edition had a cover titled ''Reagan's Suicide Pact.''

While opposed by some at the time, I doubt few in this Chamber on either side of the aisle would look back today and say that President Reagan's negotiations with the Soviets and the eventual agreement weren't in the best interest of America's national security.

So here we are today with President Trump plunging us and our allies into uncertainty when it comes to an Iranian nuclear weapon and the credibility of America's word around the world. It is not very good timing if we seriously hope to bring peace to the Korean Peninsula by putting the American signature and name on the line in a negotiation to stop the development of nuclear weapons in that area of the world.

What will President Trump do if Iran restarts its nuclear weapon program? Is he prepared to face the prospects of another war in the Middle East—a war with nuclear weapons? Certainly we will have no inspectors there anymore if President Trump has his way, and that can only set us back and open the door to the possibility of a nuclear Iran in the future. Does that make America safer? Does that make the world safer? Of course not. Is this just about undoing what President Obama did, keeping some campaign promise, which, frankly, doesn't serve the best interest of peace in the world or our own national security.

Mr. Trump and my colleagues on the other side of the aisle who support this move and are unwilling to speak against it, the situation being created by walking away from the nuclear agreement with Iran is now in your hands, on your watch. I hope something good can come from this.

By all accounts, the American people overwhelmingly oppose what President Trump did today. The American people know we live in a dangerous world. They have heard over and over again about the prospects of a nuclear attack from North Korea. The notion that Iran would now develop a nuclear weapon does not make America feel any safer, and by a margin of 2 to 1, they tell President Trump: What you announced today was wrong. It does not make us any safer.

There have been many opportunities in this country to work together on a bipartisan basis on foreign policy. Historically, that was almost always the case—as it should be. Sadly, those days are behind us. Instead, now it is straight partisanship. If President Obama wanted it, President Trump happens to oppose it.

Look at the decision on the Paris climate agreement. That was an agreement reached by every nation in the world, and President Trump stepped away from it, saying: When it comes to climate change, the United States does not want to engage in this global conversation.

When it came to healthcare in the United States, President Trump said: I want to eliminate ObamaCare—eliminate the Affordable Care Act. Across the United States, we are now seeing dramatic increases in health insurance premiums because of President Trump's decision and the opposition by Members of Congress on the Republican side against the Affordable Care Act.

Now we are walking into a new territory. It is not just climate change; it is not healthcare; it is the safety of this world. It is a question about whether another nation will join the nuclear club—a nation we have plenty of differences with.

We had an agreement, a good one. It was brokered by a group of nations that were unlikely allies: China, Russia, Western European nations, and the United States. Of course, that is an unusual grouping, but they all agreed Iran should not have a nuclear weapon, and we moved forward with an agreement that was working until this President, just 2 hours ago, came before the American people and said the United States is walking away from that agreement.

Sadly, it is a reckless decision. It is a historic, tragic, and reckless decision, which runs the risk of allowing this country, Iran, to develop a nuclear weapon, threaten the region, and threaten the world. We live in a dangerous world, and we need a President who understands that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

NOMINATION OF MICHAEL BRENNAN

Ms. HIRONO. Mr. President, just before we left for last week's State work period, the majority leader filed cloture on six nominees for Federal circuit courts. He did not take this action in a vacuum.

Over the past year and a half, the majority leader and the Republicans in the Senate have joined with Donald Trump to try to pack our Federal courts with ideological judicial nominees who seek to change American law to match their partisan politics.

To accomplish this goal, the majority leader and Senate Republicans have also been eliminating procedural checks designed to ensure a fair and qualified judiciary. One of those checks is the blue-slip requirement—a mechanism for Senators to indicate their approval of nominees from their States.

In the past, when Senators objected to a judicial nomination in their home State, with almost no exceptions, the Judiciary Committee took no further action on that nominee. This was because the Constitution requires the President to get the advice and consent of the Senate when nominating judges.

Traditionally, this has been done by consultation with the home State Senators, but the majority leader and his Republican colleagues have largely abandoned this constitutional safeguard.

The Judiciary Committee has, though very rarely, scheduled hearings for nominees who lack one blue slip and whose home State Senators have returned negative blue slips.

Now, tomorrow, we will have a hearing for a Ninth Circuit nominee for whom no blue slips have ever even been returned. This has never happened in the modern history of the Senate, and it certainly was not the standard the majority leader and the chair of the Judiciary Committee applied to President Obama's judicial nominees.

It does not have to be this way. It is possible for home State Senators to confer with this administration and identify nominees acceptable to both

parties. For example, the Trump administration consulted with Senator SCHATZ and me about nominees to fill Hawaii vacancies on the district and circuit courts. We worked together to identify nominees who would be qualified and appropriate for these lifetime appointments—Jill Otake for the district court and Mark Bennett for the Ninth Circuit. We returned our blue slips, and the nominations are moving forward.

Abandoning the blue slip has nothing to do with overcoming so-called Democratic obstruction of President Trump's judicial nominees. This President has seen more circuit court nominees confirmed at a faster pace than any modern President. In fact, he has bragged about the pace of confirmation of his judges, including at the State of the Union Address.

Instead, abandoning the blue-slip process is about gutting checks and balances that would prevent Donald Trump from packing the court with ideologically driven judges as quickly as possible.

This week, we are considering one of those judges—Michael Brennan—whose nomination should not proceed. It has come to the Senate without the traditional advice and consent and over the strong objection of his home State Senator, Ms. BALDWIN.

In fact, in a particularly hypocritical twist, Mr. Brennan was nominated to fill a seat that has been kept open for over 7 years because the senior Senator from Wisconsin—a Republican—refused to return a blue slip for Victoria Nourse—President Obama's nominee for this very same seat.

At that time, Mr. Brennan—the nominee we are debating today—even wrote an op-ed in the Milwaukee Journal Sentinel in 2011 arguing in favor of respecting the blue-slip requirement on the Nourse nomination, saying:

> There are now two Senators from Wisconsin from different political parties, so to exclude Johnson and those citizens who voted for him would be a purely partisan move.
>
> Johnson represents millions of Wisconsin citizens, just as Sen. Herb Kohl does and Feingold did. In the same way those senators had their say in Nourse's first nomination, Johnson should have his say . . . [He] just wants to be heard and fulfill his constitutional duty of ''advice and consent.''
>
> Why can't Johnson, elected by the citizens of Wisconsin, participate in the selection of a judge for a Wisconsin seat on the 7th Circuit, as Kohl did?

Now that the shoe is on the other foot, Mr. Brennan is perfectly happy to have his nomination move forward over the objections of one of Wisconsin's Senators—Ms. TAMMY BALDWIN. This is the kind of hypocrisy we have come to expect from this administration, but I am also not surprised that Senator BALDWIN did not approve Michael Brennan, considering his troubling views on the way the law works. He should not be confirmed to a lifetime appointment on the Seventh Circuit.

In a 2001 op-ed for the National Review online, Mr. Brennan expressed dangerous ideas that call into question the duty of Federal judges to follow precedent. In his op-ed, Mr. Brennan casts doubt on whether judges have a responsibility to rely on how other judges before them interpreted laws, what lawyers call stare decisis. He wrote:

> If, after reexamination of a legal decision, a court concludes that the ruling was incorrect, stare decisis does not require that the rule of that case be followed. . . . Bush-appointed judges cannot accurately be labeled as activists for reexamining and following only correct precedent.

I interpret this op-ed to mean that a judge is free to determine whether he or she will agree that the precedent is correct. That is not how the law works. So we, in the Judiciary Committee, asked Mr. Brennan about this article during his confirmation hearing, and he came up with a clever explanation for it. He claimed his article asserted that judges are not necessarily bound by decisions of their own district or their own circuit. His article, he claimed, did not argue that judges can disregard precedent of higher, controlling courts. That is not what he wrote.

It is a convenient explanation, I admit, but it doesn't really hold up if you read his op-ed, where he clearly argues that President George W. Bush's judicial nominees should receive a pass for not following the law. This is what used to be called a confirmation conversion.

As with too many of President Trump's nominees, we are being told to ignore what we read or hear and set aside common sense. We are told by these nominees that what they talked about yesterday, think about today, wrote about yesterday—we are supposed to just ignore all of that. We are supposed to pretend that what someone has advocated for in the past, no matter how recent, will have no bearing on what they will do as a judge, but, remember, Judge Brennan has said he doesn't feel bound, according to his op-ed piece, by precedent.

Judges, as former Chief Justice Rehnquist said, do not come to their positions as blank slates. Each of them brings their own ideas and perspectives to the bench.

The majority leader recently said his most consequential political act—political act—was blocking Judge Merrick Garland's nomination to the Supreme Court. This is the same majority leader complaining that Democrats are now obstructing President Trump's judicial nominees. What could be more obstructionist than to totally ignore a nominee to the Supreme Court, no less?

The majority leader's unprecedented action prevented President Obama's well-qualified, centrist nominee from even having a confirmation hearing, let alone a vote, and it paved the way a year ago for Senate Republicans to jam through President Trump's conservative, ideological nominee, Neil Gorsuch—a Federalist Society-backed nominee—to provide a five-vote conservative majority on the Court that will continue to roll back individual rights for decades. President Trump put his stamp on this approach when he tweeted, ''Republicans must ALWAYS hold the Supreme Court.'' They are taking this same approach to all of our Federal courts.

I take the Senate's constitutional obligation to provide advice and consent on judicial nominees very seriously. We should be carefully considering a nominee's record to ensure they understand that courts are supposed to protect the rights of minorities.

The courts do not belong to Democrats or Republicans, despite the fact that Donald Trump has said Republicans must always hold the Supreme Court. He applies that, by the way, to the district courts as well as circuit courts. We must ensure that judges with lifetime appointments will treat all Americans—all Americans, and, I would say, particularly minorities and women—fairly in court. This is what the blue-slip requirement is really about. Home State Senators have a unique role in ensuring that the Federal judges serving in their States are highly qualified, understand the importance of applying the law fairly, and meet the needs of their community.

I urge Senate Republicans to reverse their ill-conceived decision to functionally eliminate the blue-slip requirement. We must all stand together to respect Senator BALDWIN's objections and oppose this nominee—who, to me, is the height of being a hypocrite—or all of us are at risk.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Vermont.

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

The PRESIDING OFFICER. The Senate is not in a quorum call.

The Senator is recognized.

Mr. LEAHY. Mr. President, we ''new'' Members don't think to look up at the lights. I apologize, but I appreciate being recognized.

SENATE'S BLUE-SLIP TRADITION

Let me be serious for a moment. I am the longest serving Member of the Senate, I am a former chairman of the Senate Judiciary Committee, and I feel obligated to speak up about the erosion of the norms and traditions that protect the Senate's unique constitutional role.

There are only 100 Senators. We should be the conscience of the Nation. We have a unique role, but, this week, we are witnessing a further degradation of the once-respected role of the blue slip in the judicial confirmation process.

Now, partisans who value only political expediency have argued that blue slips are mere slips of paper, but, instead, they represent and help preserve something far more meaningful.

For much of this body's history, blue slips have given meaning to the constitutional requirement of advice and

consent. They have protected the prerogatives of home State Senators. They are the ones who have to vouch for somebody from their State, and they are the ones who have the most at stake.

I remember when a dear friend of mine, then-the Senator from Arizona, Barry Goldwater, called and asked if he could drop by and see me. He had recommended a person to President Reagan for the U.S. Supreme Court. It was Sandra O'Connor. He explained how they had looked at a number of people, and she was the best. With respect for Senator Goldwater, I agreed, and I supported her.

They have also ensured fairness and comity in the Senate. In many ways, traditions like the blue slip have been central to what makes the Senate the Senate. All of us, whether we are a Democrat or Republican, should care about good-faith consultation when it comes to nominees from our own States. The reasons are both principled but pragmatic. We know our States better than anybody else. We know who is qualified to fill a lifetime appointment to the bench, and, critically, we know the one constant in life is impermanence. That is precisely why traditions matter.

When I became chairman of the Judiciary Committee at the start of the Obama administration, every single Senate Republican signed a letter making the case for the importance of this tradition, and requesting that it be respected during the new administration. Republicans said: We are unified. We must follow the blue-slip tradition.

I didn't need that reminder. Under my chairmanship, during both the Bush and the Obama administrations, I respected the blue-slip tradition without exception, even when it was not politically expedient, even when I was attacked for protecting a Republican Senator's prerogative. I faced pressure from my own party's leadership to hold hearings for President Obama's nominees who had not received blue slips from Republican Senators. I was criticized by advocacy groups and even the editorial page of the New York Times.

I resisted such pressure. I did so because I believed then, and I still believe now, that certain principles matter more than party. It was certainly what every single Republican said they agreed with when President Obama was President. Not all Judiciary chairmen followed the same blue-slip policy as I did, but Chairman GRASSLEY did follow the same policy, at least when there was a Democrat in the White House. Last Congress, no judicial nominee received a hearing without both home State Senators returning positive blue slips. This Congress, coinciding with a change in the White House, there has been a change in the blue-slip policy. What was sacred to Republicans for the Democrats is not sacred to the Republicans for Republicans.

Tomorrow, the Judiciary Committee will hold a hearing for a nominee in the Ninth Circuit, Ryan Bounds. He is opposed by not just one but both of his home State Senators. If Mr. Bounds is ultimately confirmed, it will mark the first time in the history of the U.S. Senate that a judicial nominee is confirmed with opposition from both home State Senators. It is nothing we ever thought possible with Republican or Democratic Presidents because it would have been too partisan. It would have destroyed what is best for the Senate, would destroy the comity of the Senate, would destroy the ability for Senators to represent their home State.

Also, this week, the full Senate will consider the nomination of Michael Brennan to the Seventh Circuit, over the objection of home State Senator TAMMY BALDWIN. Mr. Brennan's nomination was not even supported by the bipartisan Wisconsin Federal Nominating Commission. This is a nominating commission made up of Republicans and Democrats. They did not support this nomination. For years, this has been a longstanding requirement for potential nominees of the Federal bench in Wisconsin, and because the bipartisan commission couldn't support him, it is no wonder Senator BALDWIN cannot, in good conscience, return her blue slip.

Many of us have established processes. I have. I have a bipartisan process in my State. Many have established these processes to vet and recommend nominees in our home State. Yet somehow Mr. Brennan was nominated, and he may be confirmed this week, even though it ignores a bipartisan commission.

Make no mistake, this kind of a confirmation would do lasting damage to the Senate's traditions, would do lasting damage to the Senate I love, would do lasting damage to a Senate, which I served for almost 44 years.

My concern is not about a mere piece of paper. My concern is, we are failing to protect the fundamental rights of home State Senators—Republicans and Democrats alike—and we are failing in our constitutional duty to provide our advice and consent. This is a unique requirement the U.S. Senators have—advice and consent. There are 100 of us. Four hundred and thirty-five House Members don't have this; we do.

Mr. Brennan's nomination makes a mockery of the blue-slip process. It makes a mockery of the time-tested process that home State Senators have abided by in Wisconsin for decades—under both Republican and Democratic administrations, and that should concern all of us.

I understand the pressure on my Republican colleagues to help a President from their own party to fill judicial vacancies; even a President who attacks the very legitimacy of our judiciary, who tweeted attacks against members of the Federal judiciary. The dilemma is that yielding to such pressure—undermining a Senate tradition simply due to a change in the White House—will do lasting damage to the integrity of this body. The Senate should never function as a mere rubberstamp for nominees seeking lifetime appointments to our Federal judiciary.

Some may dismiss these warnings. I served in the Senate long enough to know that partisan winds tend to change direction. Inevitably, the majority becomes the minority. It has happened several times since I have been here. The White House changes hands. That has happened several times since I have been here. Then, the shoe is on the other foot, which is precisely why maintaining a single, consistent policy is so critical.

I urge my fellow Senators of both parties to consider the damage we are doing to this body by abandoning one of the few remaining sources of bipartisan good will in our judicial confirmation process. A vote for Mr. Brennan is a vote to abandon our ability to serve as a check on not just this President but any future President of either party. Chasing expediency provides fleeting advantage. It inflicts lasting harm on this body, and it is within our power to put a stop to it.

I urge all my Senate colleagues to ensure that home State Senators are provided the same courtesies during the Trump administration the home State Senators—both Republicans and Democrats—were provided during the Obama administration. For that reason, I ask my fellow Senators to oppose Mr. Brennan's nomination unless he has bipartisan support from his home State.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, first of all, I want to thank the distinguished Senator from Vermont, who has been such a role model to me since I came to the Senate—we started working together on technology issues and worked together on so many matters dealing with appropriations and finance—for all his counsel, not just on this but over the years. I thank him for the courtesy of being allowed to go next.

NOMINATION OF RYAN BOUNDS

Mr. President, there is now a vitally important debate happening on the Senate floor with respect to judicial nominations. What is clear to me is, the majority is now chipping away at a century of bipartisan tradition that has protected the interests of those in our home State and served as a check on the power of the Executive. It is the Senate bowing down to the White House, derelict in its constitutional responsibility to provide or withhold advice and consent on nominees. In my view, this is a dangerous mistake that is going to have harmful consequences for decades.

Today, the debate at hand is over the mishandling of the nomination of Michael Brennan to the Court of Appeals for the Seventh Circuit. This could be the first time in decades that a judicial

nominee is confirmed over the objection of a home State Senator. Tomorrow, the Senate Judiciary Committee is going to throw out the window a bipartisan practice that dates back more than a century when it holds a hearing on the nomination of Ryan Bounds to sit on the Ninth Circuit Court of Appeals. It goes without saying that individuals who are up for a lifetime seat on a powerful Federal court must be forthcoming and truthful in the nomination process. My view is, Ryan Bounds hasn't even cleared that low bar. Mr. Bounds misled the independent committee that considers potential nominees in Oregon by withholding inflammatory writings that reveal disturbing views on sexual assault and on communities of people who are vulnerable and disadvantaged.

He has had ample opportunity to clean up this mess, express remorse, and explain how his views have changed, but I haven't seen it. The comments I have seen suggest Mr. Bounds views this as a matter of poor word choice and youthful indiscretion—an issue he can almost dismiss with a small wave of the hand. In my view, that is wrong, he is wrong, and an individual up for a lifetime seat on a Federal bench has an obligation to do better than that. Yet his nomination has moved forward anyway.

This action by the majority—what will happen tomorrow unless common sense and good will and tradition prevail tonight—will throw in the dustbin a century of bipartisan tradition. Tomorrow will cheapen the advice and consent role of the U.S. Senate, and this body will cede power to the executive branch.

First, to explain what I mean, I am going to discuss the practice we have maintained in Oregon with respect to judges. When there are vacancies on the bench, Oregon Senators convene an independent committee of Oregonians from all over the legal community to select and interview candidates for judicial nominations. The committee performs a thorough, statewide search, conducts rigorous interviews, and then recommendations are made to Oregon's two Senators. Senator MERKLEY and I review those recommendations, and we submit a short list to the President for his consideration. For us, this process is the core of what advice and consent is all about when it comes to judicial nominees. We even wrote to the current White House counsel very early on in the new administration—now more than a year ago—to make sure they were up to date about this longstanding Oregon practice.

As part of the work the independent committee does in Oregon, candidates are asked whether anything in their past would have a negative impact on their potential nomination. Any lawyer who has read up on a hard-fought nomination in the past ought to know that inflammatory writings about women, people of color, and LGBTQ Americans certainly qualify as potentially threatening to a nomination. Mr. Bounds, however, did not alert our Oregon committee to his writings. He said there was nothing to worry about. In fact, he highlighted his precollege days in an effort to paint a picture of diversity and tolerance, conveniently skipping over his later intolerant writings. My view is that Mr. Bounds misled the committee by this omission, and he was wrong to do so.

It was not until after the committee finished its work that these writings came to light. That is why five of the seven members of the independent Oregon judicial selection committee, including the chair, said that this would have changed their decision to include Mr. Bounds among the committee's recommended candidates. Yet the Trump administration and the majority on the Senate Judiciary Committee have moved forward with his nomination anyway in direct violation of our longstanding practices.

Here is the second tradition that could be thrown out, and it goes back yet further. Not once in more than a century has the Senate held a hearing on a judicial nominee without having input from either home-State Senator. This tradition has stood for 101 years and has benefited both sides as a check on the power of the President.

Let me briefly quote a letter that the entire Senate Republican Conference sent to the last President at the beginning of his term in 2009. They wrote that dating back to the Nation's founding, the Senate has had a ''unique constitutional responsibility to provide or withhold its Advice and Consent on nominations.''

They continued: ''Democrats and Republicans have acknowledged the importance of maintaining this principle, which allows individual senators to provide valuable insights into their constituents' qualifications for federal service.''

So, in 2009, when a Democrat was in the White House, my Republican colleagues stood firm on maintaining this tradition, and the Democrats did. The last administration and Democratic leaders here in the Senate respected the request of our Republican colleagues. There were no hearings on judicial nominations when neither home-State Senator had consented. Now the Republican majority is on the verge of breaking that practice, in lockstep with the White House, to seat a nominee when there are, in my view, serious red flags.

To my colleagues in the Senate, the White House might believe that providing advice and consent begins and ends with this body's rubberstamping whatever names are sent, and the majority in the Senate might be happy to go along with that. I believe that is the wrong way to go.

Neither Senator MERKLEY nor I have given our approval for this nomination to go forward. As I have noted in conversations with the chairman of the committee, we are not stonewalling, and we are not fishing around for any old reason to bring down a Republican nominee. We are honoring the bipartisan tradition that has stood for more than a century, and we are fulfilling our constitutional duties.

I have declined to give approval for a hearing because I believe Mr. Bounds purposefully misled the independent Oregon committee that reviewed his candidacy. He omitted information that was vitally important during a critical time of the vetting process. That cannot be dismissed, ignored, or wished away. It is a fact and, in my view, a fact that is a disqualifying one.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. NELSON. Mr. President, the President just announced that the United States will withdraw from the Iran nuclear deal. The President says he wants a better deal. So do a lot of us. The fact is, we need to keep pressure on Iran with additional economic sanctions that will stop it from developing ICBM missiles. That was not part of the Iran nuclear agreement. We need to ratchet up the pressure on Iran in order to stop its ICBM missile program.

Pulling out of the Iran nuclear deal is a tragic mistake. It will divide us from our European allies, and it will allow Iran to build a nuclear weapon—a nuclear bomb—within a year, as compared to 7 to 12 years in the future if we stay in the agreement. I think keeping an atomic weapon out of a radical religious outfit like Iran, headed by an Ayatolla, is clearly in the free world's interest. Certainly, it is for the free world. Clearly, it is for the United States, as it is for all of our allies. That is why the United States had such broad support in an agreement that Iran not build a nuclear weapon. Pulling out of this agreement risks all of the unprecedented restrictions on Iran's nuclear program that are in place right now—the hundreds of visits by the IAEA, the International Atomic Energy Agency, and its ability to get in behind locked doors. Before this agreement, we never had that kind of insight into Iran. Now is the time to continue ramping up the pressure on Iran, not to back off, as pulling out of the agreement will cause us to do.

First things first, let's keep restrictions on Iran's nuclear program—the lessened enriched uranium, the complete cementing over of the plutonium plant, the ability to inspect and verify. Then what we ought to be doing is doubling down on Iran's ballistic missile program, on its regional aggression, on its support for terror, and on its human

rights violations. It was the tough U.S. and international sanctions that brought Iran to the table in the first place, and it was we in this Congress who enacted many of those economic sanctions.

To sum up, we need to put more pressure on Iran with additional economic sanctions to stop it from developing its ICBM missiles, and pulling out of the Iran nuclear agreement now is a tragic mistake. It will divide us from our European allies, and it will cause Iran to build a nuclear bomb within a year instead of preventing it from building one for at least 7 to 12 years. That seems, to me, to be a choice that we made at the time we entered this agreement. It seems to be all the more clear today that we ought to continue the agreement.

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

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, situated off the northeast corner of Australia lies one of the seven natural wonders of the world, a wonder that is visible from space—the Great Barrier Reef. Each year, around 2 million visitors come from around the globe to experience the Great Barrier Reef. They come to see hundreds of species of sharks, dolphins, fish, mollusks, whales, seabirds, and other marine life thriving in nearly 133,000 square miles of coral reef. Some of these coral structures are thought to date back as long as 25 million years. When Pope Francis spoke of the ''wonderworld of the seas,'' this is the kind of beauty and bounty he had in mind.

It is difficult to imagine something so expansive and ancient threatened so profoundly by one of Earth's more recent inhabitants—humans—but it is. The oceans are taking the brunt of our modern carelessness. They are warming, acidifying, and literally suffocating under our carbon dioxide emissions. They are fouled with our plastic garbage, and they are polluted with runoff from farming and storm water wash into the sea.

I have come to the floor before to plead that my Senate colleagues heed the warnings of our oceans. Those warnings are loud and clear and measurable. They are measurable with thermometers, tide gauges, and simple pH tests, and they are chronicled by the testimony of fishermen and sailors.

Today I wish to focus on that Great Barrier Reef. A healthy coral reef is one of the most productive engines of life on Earth. It is home to 25 percent of the world's fish biodiversity. The corals use calcium carbonate—a compound usually readily available in ocean water—to build their hard skeletons. These hard structures shelter the living coral polyps and undergird the entire ecosystem that depends on the reef. Without the corals, the whole thing collapses.

The living corals have evolved a symbiotic relationship with tiny photosynthetic algae called zooxanthellae. The algae live in the surface tissue of the corals. It is the algae that provide the color that you see healthy corals display. The corals' metabolic waste is converted by the algae back into food and oxygen for the corals, and, in turn, corals shelter the algae.

However, the range of pH, temperature, salinity, and water clarity within which this symbiotic magic takes place is fairly narrow. Get outside that comfort range, and the corals get stressed. When they are stressed enough, they begin to evict their algae. This is what is called ''coral bleaching.'' The corals whiten as they shed their colorful algae.

Of course, without the algae, corals can't live for long. The algae can resettle, and the corals can recover, but if the algae don't resettle, the corals soon die. That is what is happening in huge swaths of the Great Barrier Reef, and here is why.

As we have pumped massive quantities of waste CO_2 into the atmosphere, dramatically raising the concentration of carbon dioxide in the Earth's atmosphere, the oceans have absorbed approximately 30 percent of all of that excess carbon dioxide.

We recently broke a dangerous new atmospheric record, exceeding a monthly average of 410 parts per million of carbon dioxide in the atmosphere for the first time in human history.

For comparison, at the start of the Industrial Revolution, atmospheric carbon dioxide was around 280 parts per million. That is 280 not so long ago and 410 now, and 300 had been about the upper limit of carbon dioxide in the atmosphere for as long as human beings have been on this planet.

About a third of all of that added CO_2 gets absorbed by the ocean, and it is absorbed with a chemical reaction that makes the ocean more acidic. That is why we talk about ocean acidification.

At the same time that the oceans have been soaking up all of that excess CO_2, they have also been soaking up heat—lots of heat—roughly 90 percent of the excess heat trapped in the atmosphere by these greenhouse gases. As a result of all of that heat, the oceans are warming as they get more acidic, more often knocking the corals out of the conditions they need for that symbiosis to thrive.

We are only 1 year out from the massive bleaching that tore across the globe from 2014 to 2017. NOAA branded it ''the longest, most widespread, and possibly the most damaging coral bleaching event on record.''

This graphic shows how severe and pervasive the bleaching was. The light blue areas on the map, which you really don't see any of, represent the parts of the ocean that are under no stress. These are the continents. There is North America and South America. Over here is Australia. There is Asia. And the red parts are the oceans.

The lighter red is ''Alert Level 1'' areas, where heat stress led to significant coral bleaching. The deeper red is ''Alert Level 2'' areas, which experienced not only widespread coral bleaching but also significant coral die-off. This white box right here marks the Great Barrier Reef. You can see that severe coral bleaching in the northern edges of the Great Barrier Reef, and this was new. According to NOAA, these are areas where bleaching had never occurred before.

In 2016 scientists with the Australian Research Council's Centre of Excellence for Coral Reef Studies undertook extensive aerial and in-water surveys of the Great Barrier Reef to estimate the extent of the damage. Out of the over 900 individual reefs that were surveyed, only 7 percent of those reefs escaped bleaching, and 93 percent were hit. In the northern portion of the Great Barrier Reef, upwards of 80 percent of the corals were severely bleached.

When the researchers returned, they found that up to two-thirds of those corals in the northern section had died. The central and southern sections fared better but still saw corals dying.

A recent paper in Nature by Australian and NOAA researchers totaled the damage. The paper's lead author, Dr. Terry Hughes, told The Atlantic: ''On average, across the Great Barrier Reef, one in three corals died in nine months.''

In the northern section of the reef, researchers found that some species, such as staghorn and table corals, suffered what they called a ''catastrophic die-off.'' In total, about one-half of the northern range's corals died.

Dr. Hughes went on to say the Great Barrier Reef ''has transformed into a completely new system that looks differently, and behaves differently, and functions differently.'' That is climate change.

In an interview with Huffington Post, Dr. Hughes said the heat wave that caused the bleaching was so intense that some of the corals basically ''cooked'' and died quickly. Usually, if corals can't recover their algae after a bleaching event, they slowly starve to death. Some of the less resilient species crashed by up to 90 percent in the recent bleaching.

Dr. Hughes made clear to the Atlantic that human-caused climate change was the driving force behind this coral bleaching. Indeed, the title of his nature article is, ''Global warming transforms coral reef assemblages.''

Dr. John Bruno from the University of North Carolina said that the loss of the Great Barrier Reef's corals is ''like clear-cutting a redwood forest.'' He went on:

In 10 years, you're going to have a lot of stuff on the ground, but you're not going to have the old-growth forest back. Some of these corals were 10, 30 years old, but a lot of them were centuries old. In 100 years—if there is no more warming—they could return.

In 100 years, they could return.

Dr. Hughes and his colleagues, however, were less optimistic in their nature paper. They wrote: ''The most likely scenario, therefore, is that coral reefs throughout the tropics will continue to degrade over the current century until climate change stabilizes, allowing remnant populations to reorganize into novel, heat-tolerant reef assemblages.'' Remnant populations are all they expect to survive.

Researchers are trying to understand the consequences of losing so much coral in our seas. Obviously, if you harm the corals, you harm the reef; if you harm the reef, you destabilize life throughout the reef, and that is bad for oceans.

A recent paper in Global Change Biology found severe declines in the populations of the fish most connected with the corals hit hardest by the bleaching. So the cascade effect is already observed.

The Great Barrier Reef even sounds different. A study published last week in the Proceedings of the National Academy of Sciences compared the lively underwater cacophony of a vibrant Great Barrier Reef in 2012 with the quiet of bleached locations in 2016. The life that teems around a healthy reef decreased with the loss of the corals.

There are actually some open-ocean species, like juvenile clownfish—or the Nemos—that actually rely on sound coming off these reefs from all the life and all the feeding and all the activity and that actually use that sound to find reefs to go settle on. So this quiet of dying reefs makes their job of finding new homes harder.

Climate change makes the heat waves that spur coral bleaching more intense and also more frequent, leaving corals less time to recover before the next heat wave hits, and we may see the more vulnerable corals fail to recover at all as the waters warm too much for them to survive.

A study published earlier this year in Science looked at 100 tropical reefs and found that only 6 had avoided bleaching. Bleaching events that occurred in the past, once in a generation, now occur around every 6 years. As the Guardian summarized it, ''Repeated large-scale coral bleaching events are the new normal thanks to global warming.''

So what can we do about it? Scientists are working to better understand what makes certain corals more resilient and to try to use these lessons to protect more vulnerable species. But that research nibbles at the fringes of this global die-off. There is some localized work on things like sun shields to help protect shallow corals during peak heat. Senator MCCAIN and I visited efforts to rebuild shattered coral reefs in Indonesia, but these tiny efforts can't offset the global onslaught of climate change unless we move fast to address the real problem.

Australia announced last week that it would invest around $400 million in a patchwork of efforts to protect the Great Barrier Reef: increasing monitoring and enforcement, for instance; limiting pollution runoff from shore; trying to keep out certain invasive starfish; and trying to help restore lost corals. But the plan does not address the main culprit behind coral bleaching, and that culprit is climate change. Scientists noticed that omission, including the Australian Academy of Science, which pointed out the problem that the reef is ''highly vulnerable to climate change,'' and ''urge[d] the government to address the cause of the problem.''

The call of those scientists is a call that we, too, ought to heed. One of the great wonders of God's Earth is on its way to turning into a sandy relic because we are unwilling to say no to the fossil fuel industry. It is that simple.

This coral die-off is one of innumerable consequences that our Earth is already warning us with. It is not the only signal; it is one of many. But nothing that can't be monetized for an industry seems to get our attention around here. Instead, it appears we will have to look future generations in the eye and tell them that there was once a Great Barrier Reef, that it was one of the wonders of the world, and that we let it die to keep the fossil fuel industry happy.

It is time we woke up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

HEALTHCARE

Mr. ALEXANDER. Mr. President, for the sixth consecutive year, ObamaCare insurance rates are going up, and Democrats are already running around pointing fingers, trying to find someone else to blame.

About 10 days ago, the distinguished Democratic leader came to the floor and warned that, very soon, health insurance companies will be announcing rates for 2019 in each State across the country. He said that many health insurance companies will propose rate increases.

Today, several Democratic Senators held a press conference saying that insurance rates are going to go up in 2019. Well, they are exactly right. Insurance premiums are going to go up in 2019, just as they have for the 5 previous years of ObamaCare. But they are exactly wrong about who to blame.

The Democrats wrote the bill. They wrote ObamaCare, and they voted for ObamaCare—every single one of them. Not a single one of us voted for ObamaCare. They wrote the bill. If they are looking for someone to blame, they should look in the mirror.

Running around, pointing fingers, and trying to find someone else to blame is a little like selling somebody a house with a leaky roof and then blaming the new owner for the leaky roof. Democrats built the house with the leaky roof. They built these insurance markets—the individual markets, where no one can find insurance. They wrote the sloppy law. They failed to make the markets competitive, and they erased the ability of consumers to have choices. They didn't follow the law when they paid out cost-sharing payments that were designed to help low-income Americans pay for their out-of-pocket expenses, and—this is the very worst—when Republicans were prepared 1 month ago to stabilize these markets and, according to the Oliver Wyman healthcare experts, to lower rates by up to 40 percent over 3 years, the Democrats said no.

President Trump asked Speaker RYAN and he asked Senator MCCONNELL to put that bipartisan proposal in the omnibus spending bill that passed. The Republicans said yes, and the Democrats said no. So the rates are going up because Democrats wrote the law, and they said no to lowering the rates.

What Democrats don't say—but every American should know very well—is that health insurance rates didn't start increasing when President Trump took office 15 or 16 months ago. Insurance rates have been increasing since ObamaCare took effect more than 5 years ago.

In 2010, there was a big discussion at the Blair House. I was invited to make the Republican case for President Obama, who stayed there all day and listened.

I said: Respectfully, Mr. President, the Affordable Care Act will not work. I said directly to him that ObamaCare would send an unfunded Medicaid mandate to States. It did.

I said: It will cut Medicare by one-half trillion dollars. It did.

I said: There will be new taxes in it. There were.

I said: It will mean that for millions of Americans, premiums will go up because when people pay those new taxes, premiums go up, and they will also go up because of the government mandates—and they have, for 5 years. Now the Democrats are pointing out that their law, which they passed, will cause rates to go up for the sixth consecutive year.

Back in 2010, I said: Our country is too big, too complicated, too decentralized for Washington, DC—just a few of us here—to write a few rules about remaking 17 percent of the economy all at once. That is the size of the healthcare economy. That sort of thinking works in the classroom, but it doesn't work very well in the big, complicated country which is the United States of America. Since the

ObamaCare exchanges opened in 2014, history has proved this—what I said—to be right.

The Affordable Care Act has not worked the way Democrats promised. It certainly hasn't worked that way for Marty, a farmer in Tennessee who stopped me at a Chick-fil-A last December. She wanted to tell me that before ObamaCare her rates were $300 a month. She is in the individual market. She doesn't get a subsidy. She pays these rates herself. This year, it is $1,300. Next year, it will be more.

Rates in Tennessee for people like Marty went up 58 percent this past year. That is a lot of money. People can't afford it. She is one of thousands of others in Tennessee who have seen their premiums increase 176 percent since 2013, the year before the ObamaCare marketplaces opened.

The Affordable Care Act hasn't worked for the 9 million Americans, like Marty, who purchased their health insurance in the individual market and received no government subsidy. They have been hammered by skyrocketing insurance premiums, and Democrats come to the floor and say: Well, they are going up for the sixth straight year.

If I were them, I would want to keep it quiet. But, no, they are looking for somebody to blame. They don't want to look in the mirror. They wrote the bill. They are the reason the rates are going up. They have rejected any reasonable attempt to change the law. They will not even support changes that they are for—that they know aren't working.

The Affordable Care Act does not work because it is too Washington, DC, focused. It has made insurance too expensive, and it is hurting the American people. So last year, Republicans tried to repeal the law to help make health insurance work again for people like Marty, the farmer I met at Chick-fil-A. We came up short.

While I hope that Senators GRAHAM and CASSIDY can build a coalition to try again, there is still the urgent problem of skyrocketing ObamaCare premiums. It did not have to be this way. The Senator from Washington, Mrs. MURRAY—the lead Democrat on the Senate HELP Committee—and I last year announced that we would hold hearings to see if there were steps Congress could take to stabilize and strengthen the individual health insurance markets so that Americans could buy insurance at affordable prices in 2019.

President Trump called me in August of last year, and he asked me to work with Senator MURRAY to try to come up with a temporary solution so people who were hurt by the skyrocketing ObamaCare prices would not be hurt while Congress concluded what to do in the long term. In September, our committee hosted four bipartisan hearings. We invited all of the Senators to come to meetings before the hearings. We had about half of the Members of the Senate involved in those meetings and hearings. Out of those meetings and hearings, we came up with three proposals that Congress could pass that would temporarily lower rates over the next 3 years, according to Oliver Wyman, one of the most well-respected healthcare experts in the country, by up to 40 percent over those 3 years.

No. 1, our proposal had 3 years of reinsurance grants at $10 billion a year so States could create funds to insure the needs of the very sick. You take the very sick out of the pool, care for them, and then you can lower the rates for everyone in the individual market. That is 3 years and $10 billion a year. That was the first proposal.

No. 2 is 3 years of cost-sharing reduction subsidies to help low-income Americans pay out-of-pocket expenses. It is counterintuitive, but when you pay those expenses, you actually lower the deficit. You lower the cost to taxpayers because it lowers the premiums, and that lowers the subsidies. You actually save taxpayer money when you pay those 3 years of cost-sharing subsidies.

No. 3, we took a provision that is in the Affordable Care Act called the innovation waiver—it was already there, and it wasn't working—and we agreed to streamline it so that it would work and the State might make an application and say we have a better idea.

We said: You can't change the essential health benefits and you can't change the prohibition on lifetime limits. You still have to give people an offer of insurance if they have a preexisting condition. All of those provisions and protections were still in our bill, but that new flexibility would have allowed Iowa and other States to increase their choices and lower premiums. It would have allowed New York, Minnesota, and New Hampshire to do things their Democratic Senators said they badly wanted to do and their Governors said they badly wanted to do.

There was new authority for a catastrophic insurance policy with lower premiums and higher deductibles that people could choose. That was in there too. This is the package that the Oliver Wyman expert said if you are a contractor and you are making $60,000 and your insurance is $20,000, it could reduce your premium from $20,000 to $12,000 over 3 years. That was the package.

Almost all Democrats liked those three ideas. The truth is, a lot of Republicans and conservative groups were skeptical about them because they said it would ''shore up ObamaCare.'' But the Congressional Budget Office said that if the scoring reflects the cost-sharing payments being paid, our proposal would actually save taxpayer dollars by lowering premiums and, therefore, lowering subsidies.

So this would sound like a very good proposal; wouldn't it? It is something that at one point Democratic leaders said every Democrat could vote for, something that more than half of the Senate participated in—reinsurance, cost-sharing subsidies, and more flexibility without changing the basic guarantees of the Affordable Care Act. That sounds very much like a proposal that might come from the other side of the aisle, not the Republican side of the aisle. Yet, on the Saturday before we passed the omnibus spending bill, President Trump called Speaker RYAN and Senator MCCONNELL and said: Will you please put that provision in the omnibus spending bill?

They said yes. The Democrats said no.

The Democrats have written this ObamaCare bill, which for 6 years has raised rates. Then, we come up with a proposal that every Democrat should like, and they say no. They will not even support changing one sentence of a law, even if it changes parts that don't work and that they are for.

What was their reason? Here is their reason. They would not apply to our proposal the traditional Hyde compromise language regarding Federal funding for elective abortions. What that basically says is that there may be no Federal funding for elective abortions, but States may do what they want. That has been the compromise since 1976. Since 1976, in every omnibus appropriations bill, Democrats have voted for that. In fact, all those weren't omnibus bills. Some of them were different appropriations bills. Since 1976, in every appropriations bill, Democrats have voted for the Hyde amendment. In the omnibus appropriations bill that we passed a month ago, Democrats voted for the Hyde amendment more than 100 times in other proposals, but they would not vote to lower health insurance rates by 40 percent over 3 years.

I will say that again. Even though they voted for the Hyde language every year since 1976 and voted for it 100 times in the omnibus bill, they would not vote for it. They would not vote for our proposal to lower rates even though it was bipartisan because they didn't want to apply that same compromise Hyde amendment to health insurance.

Howard Baker, the Senate majority leader, once said that the essence of Senate leadership is becoming an eloquent listener. That means hearing and understanding what people have to say because what they are saying is not always what they mean.

My conclusion is that, by their words and by their actions, what Democrats really were saying is this: We will not change one sentence of ObamaCare, even the parts that obviously are not working and even when most of the Democrats would support the policy and the changes.

Given the Democrats' attitude, I know of nothing that Republicans and Democrats can agree on to stabilize the individual health insurance market. I know of nothing.

No one regrets Congress's failure to reach an agreement on this more than

I do. I ran for the U.S. Senate because I wanted to achieve bipartisan results on important issues. I have often been able to do that, but I literally struck out here.

When Democrats blocked these proposals from being included in the omnibus in March, I said: ''Now let's look down the road . . . insurance companies will announce their rates for 2019 . . . and rates will continue going up instead of going down.''

They are right about that. Already in the last few days, it has been announced that rates will go up in 2019. Millions of Americans will be hearing more about that. The Democrats could have worked with us to lower premiums by up to 40 percent. They instead chose to cling to an unworkable law, to skyrocketing rates, and to reject any change that would have temporarily reduced rates, even though the President and the Republican leaders were willing to support ideas that the Democrats, as a matter of policy, almost unanimously support.

For relief, we will have to turn to the Trump administration and to the States. I am encouraged by Labor Secretary Acosta's proposed rule on association health plans. It would help some self-employed Americans, like Marty, the farmer, and employees of small companies to buy the same kind of insurance with the same lower cost and the same protections that roughly 160 million Americans who work for large employers have today. In other words, if you work for IBM, you in effect get about a $5,000 average tax break because of the way the tax law applies to employer insurance. We would like to give the same opportunity to the self-employed and to people in small businesses.

The Trump administration has also proposed a rule that would reaffirm the role of States in regulating short-term health insurance and that could provide a coverage option for Americans who are uninsured because plans in the Affordable Care Act markets are too expensive. Neither of these changes require the approval of Congress.

I am talking with Secretary Azar and Seema Verma, the Administrator of the Centers for Medicare and Medicaid Services, about other administrative actions they can take to give States more flexibility within the current law to help lower health insurance premiums, especially for the 9 million working Americans who do not receive a Federal subsidy in the individual market.

Those are the ones who are getting hammered. Those are the one whose rates we could have reduced by up to 40 percent over the next 3 years, but the Democrats said no.

I will be encouraging Governors and State insurance commissioners to do everything they can to repair the damage caused by the Affordable Care Act, but my own efforts as chairman of the HELP Committee will turn to other pressing healthcare issues, including the opioid crisis, overall healthcare costs, electronic healthcare records, prescription drug prices, and the 340B program.

Contrary to the Democratic leader's speech, this is not a crisis of Republicans' making. Democrats should look in the mirror. The last 5 years and the upcoming 6 years of premium increases are the fault of a law designed, drafted, and voted on exclusively by Democrats.

Last year, Republicans freed Americans from the individual mandate requirement, which was a tax on the poor that forced many Americans to buy insurance they couldn't afford or didn't meet their needs. We tried to provide even more freedom from this unworkable law, but, as I have detailed, Democrats said no.

If you have an insurance premium that is going up 40 percent next year, on top of the more than 105 percent increases since 2013, you can thank the Democrats. If you would like greater choice and an opportunity for lower premiums, you should support Republicans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

NOMINATION OF MICHAEL BRENNAN

Ms. BALDWIN. Mr. President, I rise this afternoon to urge my colleagues to oppose the confirmation of Michael Brennan to the U.S. Court of Appeals for the Seventh Circuit. By bringing Mr. Brennan's nomination forward without my support, Chairman GRASSLEY and Leader MCCONNELL are breaking with a longstanding Senate tradition that has guaranteed a voice for home State Senators, regardless of party, in the consideration of judicial nominees.

The blue slip is an important part of this institution and its historic respect for the rights of each Senator, as well as the rights of the minority party. As the chairman of the Judiciary Committee, Mr. GRASSLEY himself wrote in 2015:

> This tradition is designed to encourage outstanding nominees and consensus between the White House and home State Senators. Over the years, Judiciary Committee chairs of both parties have upheld a blue-slip process, including [most recently] Senator PATRICK LEAHY of Vermont . . . who steadfastly honored the tradition even as some in his own party called for its demise. I appreciate the value of the blue-slip process and also intend to honor it.

Today, respect for that time-honored blue slip comes to an end. Not only is Michael Brennan being considered on the Senate floor, but tomorrow the Senate Judiciary Committee will hold a hearing on a nominee for a traditional Oregon seat on the Ninth Circuit for whom neither Oregon Senator has returned a blue slip. I urge my colleagues to recognize that while today's action disrespects my role as the junior Senator from Wisconsin, tomorrow it may well be you. With the majority's choice to end this tradition, each of us is diminished in our own ability to represent the constituents who chose to send us here.

I did not return a blue slip for Michael Brennan because his nomination does not reflect the consensus between the White House and home State Senators that the chairman of Judiciary Committee, Mr. GRASSLEY, praised in 2015. Mr. Brennan did not receive the requisite support from Wisconsin's bipartisan judicial nominating commission, which has been used in some form for nearly four decades to identify candidates for Federal judgeships in my home State. Senator JOHNSON and I have worked to continue this longstanding process during my tenure in the Senate, and it has actually produced consensus nominees who have been confirmed to two vacancies on our district courts and for two U.S. attorney positions.

More troubling still is a fact made clear in Mr. Brennan's answers to the Judiciary Committee's questionnaire; namely, that President Trump never intended to respect that commission's work for this vacancy. The White House interviewed Michael Brennan for the job on the very day our bipartisan nominating commission began to solicit candidates for its consideration.

Chairman GRASSLEY has made an argument that the White House engaged me in meaningful consultation regarding this vacancy. It is true that White House Counsel Don McGahn called me to inform me that Mr. Brennan was the President's choice. I urged him, instead, to consider consensus nominees who could garner bipartisan support, including Donald Schott, who earned the requisite support of Wisconsin's nominating commission. He also garnered Senator JOHNSON's and my blue slips in the last Congress as well as the support of a bipartisan majority of the Senate Judiciary Committee. Sadly, he didn't come up for a confirmation vote due to obstruction in setting the calendar—a choice by the majority leader. Unfortunately, instead of nominating a consensus candidate, President Trump chose to move forward in a partisan manner on this vacancy.

Seven years ago, the U.S. Senate respected the prerogative of my colleague and my senior Senator, Mr. JOHNSON—then a newly elected Senator from Wisconsin—when he objected to a nominee for this very vacancy whose selection he had not had a role in. Mr. Brennan himself, at the time, coauthored an op-ed in our State's largest newspaper that praised Senator JOHNSON's refusal to return a blue slip for that nominee, Victoria Nourse. When President Obama made a second nomination for this position in 2016, I am confident Senator LEAHY would not have allowed that nominee, Donald Schott, to have advanced in the Judiciary Committee without my senior Senator's blue slip.

Today, I am not being accorded the same respect. Today, we send the message that neither this nor a future President needs to respect the role of home State Senators in the selection of judicial nominees. I urge my colleagues

to oppose this action and this nominee and this dispensing with a time-honored tradition of this institution.

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.

JOINT REFERRAL—PN1884

Mr. MCCONNELL. Mr. President, I ask unanimous consent that PN1884, the nomination of John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans' Employment and Training, sent to the Senate by the President, be referred jointly to the Health, Education, Labor, and Pensions and Veterans' Affairs Committees.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the postcloture time on the Engelhardt nomination expire at 12 noon tomorrow, May 9, and the Senate vote on confirmation of the Engelhardt nomination with no intervening action or debate; further, that if confirmed, 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. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume 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.

VOTE EXPLANATION

Mr. MERKLEY. Mr. President, I regret that, due to unforeseeable flight delays, I was unable to make it back here to Washington in time for the cloture vote on Kurt Engelhardt's nomination for the Fifth Circuit Court of Appeals. Had I been present, I would have voted against cloture.

His record on the district court is deeply troubling, particularly those concerning sexual harassment, religious discrimination, civil rights, and discriminating against women who choose to have children in the workforce—a right that should be open to every American woman without fear of losing one's job. In Mr. Engelhardt's court, ogling, groping, making suggestive comments, and talking about a woman's appearance do not constitute sexual harassment or a hostile work environment. In Mr. Engelhardt's court, a woman who is ordered by her doctor to be on bedrest can be fired 2 weeks after giving birth because ''the fact that Plaintiff's absences were caused by pregnancy does not dispense with the general requirement that employees must show up for work.''

Then there is Judge Engelhardt's extremely disturbing ruling overturning the convictions of five former New Orleans police officers in the Danziger Bridge case. This was a case that was described at the time as ''the most significant police misconduct prosecution since Rodney King,'' but Mr. Engelhardt overturned the convictions because three of the prosecutors wrote anonymous blog posts, even though the judge acknowledged that there was no evidence that any of the jurors had ever read these posts. Mr. Engelhardt's ruling in the Danziger Bridge case is exactly the kind of action that makes so many Americans distrust our criminal justice system and amplifies the racial inequalities that exist in it.

Too many Americans have been denied justice in Mr. Engelhardt's court for the Members of the U.S. Senate to reward and elevate him to a position of higher authority. Therefore, I would like it to be known on the record that I oppose Judge Engelhardt's nomination to serve on the Fifth Circuit Court of Appeals and would have voted in the negative had I been able to be here.

HONORING FIRST SERGEANT DAVID H. QUINN

Ms. HASSAN. Mr. President, today I would like to honor the life of U.S. Marine Corps First Sergeant David H. Quinn of Temple, NH.

In 1941, First Sergeant Quinn enlisted in the U.S. Marine Corps Reserves. He would train at Parris Island, SC, and Quantico, VA, before being assigned to a newly created amphibious tractor battalion based in Dunedin, FL, which was preparing for war in the Pacific Theater.

His unit brought him to San Diego, where he was promoted to first sergeant, and eventually to New Zealand for further training in amphibious assaults. It was there that he met Zoe Boeson, who was working to become a nurse. David and Zoe were married on June 28, 1943, just 4 months before his unit shipped out.

In 1943, with Company C, 2nd Amphibious Tractor Battalion of the 2nd Marine Division, First Sergeant Quinn arrived on Betio in the Tarawa Atoll as part of Operation Galvanic. The island was critical to the U.S. island-hopping campaign and also to the Japanese, who used it as a base for attacking U.S. Forces in the Central Pacific.

The marines successfully captured Betio, but 1,029 marines were killed and approximately 2,700 men wounded on what came to be known as bloody Tarawa. Among them was First Sergeant Quinn, who passed away on November 20, 1943. Though he and his new bride, Zoe, had spent just 4 months together prior to his death, she later remarked that they enjoyed more happiness in those 4 months than most people find in a lifetime.

Like many others, First Sergeant Quinn's remains were unidentified until 2016, when a DNA sample led to a positive match with his nieces. On May 4, 2018, nearly 75 years after his death, First Sergeant Quinn was reunited with his family and buried with full military honors back home in Temple, NH.

Though this expression of gratitude is long overdue, we must never miss an opportunity to thank those men and women in uniform who have put their life on the line to keep us safe, secure, and free. We must never forget their sacrifice.

I hope you will join me in honoring a brave Granite Stater, First Sergeant David Quinn. May he rest in peace.

TRIBUTE TO REAR ADMIRAL LEONARD C. DOLLAGA

Mr. DAINES. Mr. President, today I wish to recognize the service and achievements of an esteemed and valued member of our Armed Forces, RDML Leonard C. Dollaga, U.S. Navy, on the unanimous confirmation of his promotion on Thursday, April 26, 2018.

Over the past 2 years, I have had the pleasure of working with Admiral Dollaga in his capacity as Director of the Navy's Appropriations Matters Office. As the principal representative of the Secretary of the Navy and the Chief of Naval Operations to the Senate and House Appropriations Committees, he has provided invaluable support to Members and committee staff in presenting the budgetary needs of the Department of the Navy for our consideration and ensured timely and transparent communication flow to support Congress's enactment of appropriations for fiscal years 2017 and 2018. Throughout that time, Admiral Dollaga has provided superior support to me during a number of engagements with political and military leaders across the Asia-Pacific region. I would like to share with you some highlights of his fine career.

For the past 28 years, Admiral Dollaga excelled in leading our Navy's sailors aboard fast-attack and fleet ballistic missile submarines. He served sea tours on the USS *Los Angeles*, SSN 688; USS *Rhode Island*, SSBN 740 (Blue); and USS *Cheyenne*, SSN 773. He commanded USS *Charlotte*, SSN 766, followed by a command tour as commodore of Submarine Development Squadron Twelve, where he was in charge of nine fast-attack submarines and led the tactical development of the U.S. Submarine Force.

Ashore, his assignments enabled him to positively impact the submarine

force and Navy. He served as an admissions officer at the U.S. Naval Academy; the technical assistant to the director of Naval Nuclear Propulsion; the nuclear officer program manager and submarine officer community manager on the staff of the Deputy Chief of Naval Operations, Manpower, Personnel, Training, and Education; the prospective commanding officer instructor for the Pacific submarine force; and the chief of the program and budget branch on the Joint Staff, Program and Budget Analysis Division. His current assignment as director of the Navy's Appropriations Matters Office, FMBE, exposed him to the widest possible view of the Department of the Navy's budgetary requirements within the broader context of the national defense arena, preparing him well for future leadership at the highest levels of our Navy.

As Admiral Dollaga departs the Pentagon for his next assignment, I want to take this opportunity to urge my colleagues to join me in extending our congratulations to him on his promotion; to thank him, his wife, Lani, and his family for their years of service; and to wish him ''fair winds and following seas'' as he continues to lead our Navy in the years ahead.

Thank you.

ADDITIONAL STATEMENTS

TRIBUTE TO SOPHIA VELLA

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Sophia for her hard work as an intern in the Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Sophia is a native of Virginia. She is a student at Virginia Polytechnic and State University, where she is studying political science and foreign affairs. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Sophia for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

SESQUICENTENNIAL OF ALTOONA, IOWA

• Mrs. ERNST. Mr. President, today I wish to recognize the city of Altoona, IA, which was founded 150 years ago.

Originally named because of its location as the highest point—or altitude—on the Des Moines Valley Railroad, Altoona has continued to reach for new heights since its plot was recorded in 1868. Altoona has come a long way from its turn of the century, coal-mining identity.

Today Altoona is home to Iowa's premier entertainment destinations, with seemingly unlimited potential ahead. While Altoona's numerous regional attractions may define the landscape of the city, there is no doubt it is the people of Altoona who define its fabric. Over the years, Altoona's leadership has never forgotten its roots, and despite world-class amenities and contiguous proximity to Iowa's capital and largest city, Altoona continues to maintain that small town feeling that Iowans know and love.

There is no better place in America to raise a family than Iowa, and Altoona is a shining example of why. I invite my colleagues in the U.S. Senate to join me in congratulating the city of Altoona on their sesquicentennial, and I wish them another 150 prosperous years.•

10TH ANNIVERSARY OF JUPITER INLET LIGHTHOUSE OUTSTANDING NATURAL AREA

• Mr. NELSON. Mr. President, today marks a special day. It is the 10th anniversary of the designation of the Jupiter Inlet Lighthouse Outstanding Natural Area. This 120-acre site in Palm Beach County, FL, contains invaluable historic and cultural resources, including an archaeological record showing continuous Native American settlement dating back 5,000 years.

Every year, tens of thousands of visitors enjoy tours of the restored 1860 Jupiter Inlet Lighthouse and historical grounds, which include the 1892 George Washington Tindall House.

The Federal designation also protects the area's rich natural environment along the Indian River Lagoon, which provides habitat for over two dozen State or federally listed species, from the West Indian manatee to the Florida scrub jay.

A decade ago, I filed legislation to protect this special area, and on May 8, 2008, President George W. Bush signed it into law, Public Law 110–229. To this day, the Jupiter Inlet Lighthouse Outstanding Natural Area remains the only unit of the 34-million-acre National Landscape Conservation System east of the Mississippi River.

I would like to commend the many partners who help the Department of the Interior take care of this heritage landmark, including the Loxahatchee River Historical Society, Palm Beach County, the town of Jupiter, the village of Tequesta, and the U.S. Coast Guard. Together, we have ensured this area will be preserved for future generations.•

TRIBUTE TO KELLIE MORFORD

• Mr. ROUNDS. Mr. President, today I recognize Kellie Morford, an intern in my Washington, DC, office, for all the hard work she has done on behalf of myself, my staff, and the State of South Dakota.

Kellie is a graduate of Spearfish High School in Spearfish, SD. Recently, she graduated from Chadron State College in Chadron, NE, where she studied criminal justice and legal studies. Kellie is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Kellie for all of the fine work she has done and wish her continued success in the years to come.•

TRIBUTE TO NATALEE DEAETTE

• Mr. SANDERS. Mr. President, I would like to recognize a remarkable Vermonter, Natalee Deaette, who was recently selected as a 2018 Truman scholar. Natalee is one of just 59 outstanding college students from across the country who was honored this year by the Harry S. Truman Scholarship Foundation with this prestigious graduate fellowship for young people who are pursuing careers as public service leaders.

Natalee is a member of Boston College's class of 2019, where she studies applied psychology and human development, with a focus on community advocacy and social policy and a minor in managing for social impact. She is involved in BC's Undergraduate Government and Emerging Leader Program, the McGillycuddy Logue Fellows Program, the Montserrat Coalition, Appalachia Volunteers, and the Global Medical Brigades. These are all very notable activities and achievements that demonstrate the depth of Natalee's commitment to her community.

What makes Natalee's story all the more impressive is that she broke through significant barriers to get to this place in her life. Natalee is a native of the most rural and economically challenged area of Vermont, where college graduation rates are well below the State and national averages. She is herself a first-generation college student and understands just how difficult it can be to navigate the world of higher education.

While in high school, Natalee greatly benefited from participating in Johnson State College's acclaimed Upward Bound program, which helps motivated first-generation high school students prepare for college success. The experience so influenced Natalee that she has worked for the program for the past 3 years. She also credits Upward Bound for inspiring her to pursue a career in public service and addressing educational inequity among disadvantaged youth, particularly those from rural areas.

I, like many Vermonters, am enormously proud of all that Natalee has already accomplished, and we look forward to what she will achieve in the future. I join with Natalee's friends and family in congratulating her for being named a Truman scholar and wishing her the best of luck in her future endeavors.•

RECOGNIZING CALLIE'S BISCUITS

• Mr. SCOTT. Mr. President, today it is my pleasure to honor Callie's Biscuits, a small business in Charleston, SC, that serves up homemade, nationally recognized biscuits.

Callie's was founded in 2005 by Carrie Morey to bring her mother Callie's biscuit recipe to folks across the country. I had a chance to meet Carrie in person, and there is no question that she exudes the exact traits required of someone determined to run a prosperous business. Today the company has since expanded to three locations, including Charleston's Upper King District and the Charleston City Market. Her goal was to build a business around her passion for southern food while creating a healthy environment for her to still spend time with her family. When Carrie first started the company, she only used part-time help. She now employs 65 people who help her carry out her business's day-to-day operations, while keeping the tradition of southern biscuit-making alive.

The story of Callie's Biscuits is exemplary of the American entrepreneurial spirit that we are honoring during National Small Business Week. Callie's and other small businesses play a critical and unique role in our national economy and our communities. Carrie's success has brought great joy to South Carolinians and has garnered national recognition for her biscuits.

Carrie also gives back to her community; she is a guest lecturer at the College of Charleston Business School's entrepreneurship classes and serves as an adviser to innovators at a baking incubator she operates. In this role, she advises these entrepreneurs on both baking and operating a small business. I would like to congratulate Carrie and all the employees of Callie's Biscuits for the positive impact they are making in the lowcountry and beyond, and I wish them continued success in their business.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

PRESIDENTIAL MESSAGES

TEXT OF AN AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED MEXICAN STATES FOR COOPERATION IN PEACEFUL USES OF NUCLEAR ENERGY—PM 34

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying reports and papers, which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to subsections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the ''Act''), the text of an Agreement between the Government of the United States of America and the Government of the United Mexican States for Cooperation in Peaceful Uses of Nuclear Energy (the ''Agreement''). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. In accordance with section 123 of the Act, a classified annex to the NPAS, prepared by the Secretary of State, in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately. A joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of the export control system of Mexico with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A(w) of the National Security Act of 1947 (50 U.S.C. 3024(w)), is being submitted separately by the Director of National Intelligence.

The Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The Agreement contains all of the provisions required by subsection 123 a. of the Act. It provides a comprehensive framework for peaceful nuclear cooperation with Mexico based on a mutual commitment to nuclear nonproliferation. It would permit the transfer of material, equipment (including reactors), components, and information for nuclear research and nuclear power production. It would not permit the transfer of Restricted Data or sensitive nuclear technology. Any special fissionable material transferred could only be in the form of low enriched uranium, with the exception of small quantities of material for use in samples, standards, detectors, or targets or for such other purposes as the parties may agree.

Through the Agreement, Mexico would affirm its intent to rely on existing international markets for nuclear fuel services involving sensitive nuclear technologies (i.e. enrichment and reprocessing), and the United States would affirm its intent to support these international markets and would agree to endeavor to take necessary and feasible actions to ensure a reliable supply of low enriched uranium fuel to Mexico.

The Agreement has a term of 30 years, although it can be terminated by either party on one year's advance written notice. In the event of termination or expiration of the Agreement, key nonproliferation conditions and controls will continue in effect as long as any material, equipment, or component subject to the Agreement remains in the territory of the party concerned or under its jurisdiction or control anywhere, or until such time as the parties agree that such material, equipment, or components are no longer usable for any nuclear activity relevant from the point of view of safeguards.

Mexico has a strong track record on nonproliferation and has consistently reiterated its commitment to nonproliferation. It is a party to the Treaty on the Non-Proliferation of Nuclear Weapons and has concluded a Comprehensive Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency. Mexico has a strong system of nuclear export controls and has harmonized its controls with the Nuclear Suppliers Group guidelines. A more detailed discussion of Mexico's domestic civil nuclear activities and its nuclear nonproliferation policies and practices is provided in the NPAS and its classified annex.

I have considered the views and recommendations of the interested departments and agencies in reviewing the Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both subsections 123b. and 123d. of the Act. My Administration is prepared to begin immediately consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee, as provided in subsection 123b. Upon completion of the 30 days of continuous session review provided for in subsection 123b., the 60 days of continuous session review provided for in subsection 123d. shall commence.

DONALD J. TRUMP.
THE WHITE HOUSE, *May 8, 2018*.

REPORT OF 38 RESCISSIONS OF BUDGET AUTHORITY—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Appropriations, the Budget; Agriculture, Nutrition, and Forestry; Environment and

Public Works; Energy and Natural Resources; Finance; Health, Education, Labor, and Pensions; Banking, Housing, and Urban Affairs; the Judiciary; Foreign Relations; and Commerce, Science, and Transportation:

To the Congress of the United States:

In accordance with section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683), I herewith report 38 rescissions of budget authority, totaling $15.4 billion.

The proposed rescissions affect programs of the Departments of Agriculture, Commerce, Energy, Health and Human Services, Housing and Urban Development, Justice, Labor, State, Transportation, and the Treasury, as well as of the Corporation for National and Community Service, Environmental Protection Agency, Railroad Retirement Board, the Millennium Challenge Corporation, and the United States Agency for International Development.

The details of these rescissions are set forth in the enclosed letter from the Director of the Office of Management and Budget.

DONALD J. TRUMP.

THE WHITE HOUSE, *May 8, 2018.*

MESSAGES FROM THE HOUSE

At 2:34 p.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. 1496. An act to designate the facility of the United States Postal Service located at 3585 South Vermont Avenue in Los Angeles, California, as the ''Marvin Gaye Post Office''.

H.R. 4301. An act to designate the facility of the United States Postal Service located at 201 Tom Hall Street in Fort Mill, South Carolina, as the ''J. Elliot Williams Post Office Building''.

H.R. 4335. An act to amend title 38, United States Code, to provide for headstones and markers for, and interment in national cemeteries of, deceased spouses and dependent children of members of the Armed Forces serving on active duty, and for other purposes.

H.R. 4574. An act to designate the facility of the United States Postal Service located at 108 West Schick Road in Bloomingdale, Illinois, as the ''Bloomingdale Veterans Memorial Post Office Building''.

H.R. 4722. An act to designate the facility of the United States Postal Service located at 111 Market Street in Saugerties, New York, as the ''Maurice D. Hinchey Post Office Building''.

H.R. 4840. An act to designate the facility of the United States Postal Service located at 567 East Franklin Street in Oviedo, Florida, as the ''Sergeant First Class Alwyn Crendall Cashe Post Office Building''.

H.R. 4910. An act to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 3210) to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes.

At 5:06 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 57. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act''.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1496. An act to designate the facility of the United States Postal Service located at 3585 South Vermont Avenue in Los Angeles, California, as the ''Marvin Gaye Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4301. An act to designate the facility of the United States Postal Service located at 201 Tom Hall Street in Fort Mill, South Carolina, as the ''J. Elliott Williams Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4335. An act to amend title 38, United States Code, to provide for headstones and markers for, and interment in national cemeteries of, deceased spouses and dependent children of members of the Armed Forces serving on active duty, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4574. An act to designate the facility of the United States Postal Service located at 108 West Schick Road in Bloomingdale, Illinois, as the ''Bloomingdale Veterans Memorial Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4722. An act to designate the facility of the United States Postal Service located at 111 Market Street in Saugerties, New York, as the ''Maurice D. Hinchey Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4840. An act to designate the facility of the United States Postal Service located at 567 East Franklin Street in Oviedo, Florida, as the ''Sergeant First Class Alwyn Crendall Cashe Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 4. An act to reauthorize programs of the Federal Aviation Administration, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4910. An act to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

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–5064. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Honey Packers and Importers Research, Promotion, Consumer Education and Industry Information Order; Change in Producer Eligibility Requirements and Implementation of Charges for Past Due Assessments'' ((RIN0581–AD03) (Docket No. AMS–SC–16–0124)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5065. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in the Lower Rio Grande Valley in Texas; Decreased Assessment Rate'' ((7 CFR Part 906) (Docket No. AMS–SC–17–0037)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5066. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate'' ((7 CFR Part 983) (Docket No. AMS–SC–17–0048)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5067. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tomatoes Grown in Florida; Decreased Assessment Rate'' ((7 CFR Part 966) (Docket No. AMS–SC–17–0051)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5068. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Cranberries Grown in States of Massachusetts, et al.; Free and Restricted Percentages for the 2017–18 Crop Year for Cranberries'' ((7 CFR Part 929) (Docket No. AMS–SC–17–0061)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5069. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges, Grapefruit, Tangerines and Pummelos Grown in Florida and Imported Grapefruit; Change of Size Requirements for Grapefruit'' ((7 CFR Parts 905 and 955) (Docket No. AMS–SC–17–0063)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5070. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges, Grapefruit, Tangerines, and

Pummelos Grown in Florida; Change in Size Requirements for Oranges'' ((7 CFR Part 905) (Docket No. AMS–SC–17–0064)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5071. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Subpart Nomenclature Change; Technical Amendment'' ((7 CFR Parts 900, 915, 917, 923, 925, 932, 946, 948, 953, 955, 956, 958, 981, 984, 987, and 993) (Docket No. AMS–SC–17–0083)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5072. A joint communication from the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, transmitting a request relative to limiting the size of Congressional delegations visiting Afghanistan for the period of June 1 through September 30, 2018; to the Committee on Armed Services.

EC–5073. A joint communication from the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, transmitting a request relative to limiting the size of Congressional delegations visiting Iraq and Kuwait for the period of May 1 to June 15, 2018 and from August 20 to October 1, 2018; to the Committee on Armed Services.

EC–5074. A communication from the Secretary of Energy, transmitting proposed legislation; to the Committee on Armed Services.

EC–5075. A communication from the Secretary of Energy, transmitting proposed legislation; to the Committee on Armed Services.

EC–5076. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a notice of additional time required to complete a report relative to defense contracting fraud; to the Committee on Armed Services.

EC–5077. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report relative to the operations of the National Defense Stockpile (NDS) for fiscal year 2017; to the Committee on Armed Services.

EC–5078. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled ''2018 Annual Report to Congress on the Department of Defense Chemical and Biological Defense Program''; to the Committee on Armed Services.

EC–5079. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report relative to the specific amounts of staff years of technical effort to be allocated for each defense Federally Funded Research and Development Center during fiscal year 2019; to the Committee on Armed Services.

EC–5080. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Robin Rand, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–5081. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''DoD Freedom of Information Act (FOIA) Program'' (RIN0790–AI51) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Armed Services.

EC–5082. A communication from the Director of Defense Pricing and Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Statement of Purpose for Department of Defense Acquisition'' ((RIN0750–AJ69) (DFARS Case 2018–D005)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2018; to the Committee on Armed Services.

EC–5083. A communication from the Director of Defense Pricing and Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Amendments Related to Sources of Electronic Parts'' ((RIN0750–AI92) (DFARS Case 2016–D013)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2018; to the Committee on Armed Services.

EC–5084. A communication from the Director of Defense Pricing and Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Promoting Voluntary Post-Award Disclosure of Defective Pricing'' ((RIN0750–AI75) (DFARS Case 2015–D030)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2018; to the Committee on Armed Services.

EC–5085. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report on applications made by the Government for authority to conduct electronic surveillance for foreign intelligence during calendar year 2017 relative to the Foreign Intelligence Surveillance Act of 1978; to the Committees on Banking, Housing, and Urban Affairs; Select Committee on Intelligence; and the Judiciary.

EC–5086. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–5087. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–5088. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–5089. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility (Dixie County, FL, et al.)'' ((44 CFR Part 64) (Docket No. FEMA–2018–0002)) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–5090. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Federal Mortgage Disclosure Requirements Under the Truth in Lending Act (Regulation Z)'' (RIN3170–AA71) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–5091. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2018–0002)) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–5092. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Human Reliability Program'' (RIN1992–AA44) received during adjournment of the Senate in the Office of the President of Senate on May 1, 2018; to the Committee on Energy and Natural Resources.

EC–5093. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; North Dakota; Control of Emissions from Existing Commercial and Industrial Solid Waste Incineration Units'' (FRL No. 9976–58–Region 8) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Environment and Public Works.

EC–5094. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Delegation of Authority to North Carolina and the Western North Carolina Regional Air Quality Agency of Federal Plan for Existing Sewage Sludge Incineration Units'' (FRL No. 9977–22–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2018; to the Committee on Environment and Public Works.

EC–5095. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Louisiana; Interstate Transport Requirements for the 2012 PM2.5 NAAQS'' (FRL No. 9977–02–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2018; to the Committee on Environment and Public Works.

EC–5096. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Arizona; Stationary Sources; New Source Review'' (FRL No. 9977–23–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2018; to the Committee on Environment and Public Works.

EC–5097. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Guidance for Developing Principal Design Criteria for Non-Light-Water Reactors'' (Regulatory Guide 1.232, Revision 0) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2018; to the Committee on Environment and Public Works.

EC–5098. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission,

transmitting, pursuant to law, the report of a rule entitled ''Evaluating Deviations and Reporting Defects and Noncompliance Under 10 CFR Part 21'' (Regulatory Guide 1.234, Revision 0) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2018; to the Committee on Environment and Public Works.

EC–5099. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2016 - January 30, 2017; to the Committee on Foreign Relations.

EC–5100. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report containing information about a proposed transaction that is necessary for and within the scope of the 2013 Presidential waiver of the prohibitions in sections 40 and 40A of the Arms Export Control Act relative to Syria; to the Committee on Foreign Relations.

EC–5101. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2018–0040 - 2018–0047); to the Committee on Foreign Relations.

EC–5102. A communication from the Management Analyst, Bureau of Consular Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates'' (RIN1400–AD71) received in the Office of the President of the Senate on April 11, 2018; to the Committee on Foreign Relations.

EC–5103. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Action Plan for Enhanced Enforcement of Mental Health and Substance Use Disorder Coverage''; to the Committee on Health, Education, Labor, and Pensions.

EC–5104. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Financial Report for fiscal year 2017 for the Prescription Drug User Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC–5105. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Performance Report for fiscal year 2017 for the Prescription Drug User Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC–5106. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Performance Report of the Food and Drug Administration's Office of Combination Products for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5107. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, received in the Office of the President of the Senate on April 26, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–5108. A communication from the Acting White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of General Counsel, Office of the General Counsel, Department of Education, received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–5109. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting proposed legislation relative to the National Defense Authorization Act for fiscal year 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–5110. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–317, ''Office of Administrative Hearings Jurisdiction Expansion Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–5111. A communication from the Director, Office of Civil Rights, Department of Interior, transmitting, pursuant to law, the Department's fiscal year 2017 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5112. A communication from the Acting Associate Commissioner, Office of Civil Rights and Equal Opportunity, Social Security Administration, transmitting, pursuant to law, the Administration's fiscal year 2017 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5113. A communication from the Acting Director, Office of Economic Impact and Diversity, Department of Energy, transmitting, pursuant to law, the Department's fiscal year 2017 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5114. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Liquidated Damages Rate Adjustment'' ((RIN9000–AN37) (FAC 2005–98)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5115. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Audit of Settlement Proposals'' ((RIN9000–AN26) (FAC 2005–98)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5116. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Federal Acquisition Circular 2005–98; Small Entity Compliance Guide'' (FAC 2005–98)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5117. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Federal Acquisition Circular 2005–98; Introduction'' (FAC 2005–98)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5118. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Task- and Deliver-Order Protests'' ((RIN9000–AN41) (FAC 2005–98)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5119. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Duties of Office of Small and Disadvantaged Business Utilization'' ((RIN9000–AN36) (FAC 2005–98)) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5120. A communication from the Director, Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health and Benefits Program Flexibilities'' (RIN3206–AN54) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5121. A communication from the Director, Employee Services Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Weather and Safety Leave'' (RIN3206–AN49) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5122. A communication from the Director, Employee Services Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Weather and Safety Leave'' (RIN3206–AN49) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–5123. A communication from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Central Intelligence Agency, received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Select Committee on Intelligence.

EC–5124. A communication from the Acting Chair, U.S. Sentencing Commission, transmitting, pursuant to law, the amendments to the federal sentencing guidelines that were proposed by the Commission during the 2017 - 2018 amendment cycle; to the Committee on the Judiciary.

EC–5125. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–5126. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Appellate Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–5127. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–5128. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–5129. A communication from the Attorney-Advisor, U.S. Secret Service, Department of the Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Restricted Buildings and Grounds'' (31 CFR Part 408) received in the Office of the President of the Senate on April 26, 2018; to the Committee on the Judiciary.

EC–5130. A communication from the Chief Administrative Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Filing of Claims Under the Guam World War II Loyalty Recognition Act'' (45 CFR Part 500 and 510) received in the Office of the President of the Senate on April 26, 2018; to the Committee on the Judiciary.

EC–5131. A communication from the Deputy Assistant Administrator of the Diversion Control Division, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of Butyryl Fentanyl and U–47700 Into Schedule I'' (Docket No. DEA–478) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on the Judiciary.

EC–5132. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Second Quarter of Fiscal Year 2018''; to the Committee on Veterans' Affairs.

EC–5133. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Second Quarter of Fiscal Year 2018''; to the Committee on Veterans' Affairs.

EC–5134. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2018–2022 Strategic Plan; to the Committee on Commerce, Science, and Transportation.

EC–5135. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2018–2022 Strategic Plan; to the Committee on Commerce, Science, and Transportation.

EC–5136. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone for Fireworks Display; Patapsco River, Inner Harbor, Baltimore, MD'' ((RIN1625–AA00) (Docket No. USCG–2018–0029)) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–5137. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; USS PORTLAND Commissioning, Portland, OR'' ((RIN1625–AA08) (Docket No. USCG–2018–0154)) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–5138. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Port Canaveral Harbor, Cape Canaveral Air Force Station, FL'' ((RIN1625–AA87) (Docket No. USCG–2017–0146)) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–5139. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Recurring Marine Events, Sector Key West, Florida'' ((RIN1625–AA00) (Docket No. USCG–2017–0159)) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–5140. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Presidential Security Zone, Palm Beach, FL'' ((RIN1625–AA87) (Docket No. USCG–2017–0016)) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–5141. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Barge PFE–LB444, San Joaquin River, Blackslough Landing, CA'' ((RIN1625–AA00) (Docket No. USCG–2018–0205)) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–5142. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Atlantic Intracoastal Waterway and Biscayne Bay, Miami, FL'' ((RIN1625–AA09) (Docket No. USCG–2017–0068)) received in the Office of the President of the Senate on April 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–5143. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Updating the Code of Federal Regulations'' ((RIN2140–AB40) (Docket No. EP 746) received during adjournment of the Senate in the Office of the President of the Senate on May 1, 2018; to the Committee on Commerce, Science, and Transportation.

EC–5144. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund, WC Docket No. 10–90'' ((RIN3060–AK57) (FCC 18–37)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2018; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BLUNT, from the Committee on Rules and Administration, with amendments:

S. Res. 355. A resolution improving procedures for the consideration of nominations in the Senate.

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. ROUNDS:

S. 2798. A bill to require a proposal for a pay table for commissioned officers of the Armed Forces using steps in grade based on time in grade rather than time in service; to the Committee on Armed Services.

By Mr. ROUNDS:

S. 2799. A bill to amend title 10, United States Code, to improve oversight of the Transition Assistance Program of the Department of Defense, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARRASSO (for himself, Mr. CARPER, Mr. INHOFE, and Mr. CARDIN):

S. 2800. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Ms. WARREN (for herself, Mr. DAINES, and Mr. WYDEN):

S. 2801. A bill to amend title 10, United States Code, to clarify the effective date of the promotion of commissioned officers of the Army National Guard and Air National Guard, to improve processes for Federal recognition of the promotions of such officers, and for other purposes; to the Committee on Armed Services.

By Mr. BLUNT:

S. 2802. A bill to amend the Internal Revenue Code of 1986 to provide the opportunity for responsible health savings to all American families; to the Committee on Finance.

By Mr. MANCHIN (for himself and Ms. HEITKAMP):

S. 2803. A bill to amend the Energy Policy Act of 2005 to improve the conversion, use, and storage of carbon dioxide produced from fossil fuels, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HOEVEN (for himself and Mr. UDALL):

S. 2804. A bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture for Indian Country; to the Committee on Indian Affairs.

ADDITIONAL COSPONSORS

S. 266

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 336

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 336, a bill to amend title 38, United States Code, to modify authorities relating to the collective bargaining of employees in the Veterans Health Administration, and for other purposes.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 428

At the request of Mr. GRASSLEY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 479

At the request of Mr. BROWN, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from California (Mrs. FEINSTEIN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 700

At the request of Mrs. MURRAY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 700, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 794

At the request of Mr. ISAKSON, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 835

At the request of Mr. MURPHY, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 835, a bill to require the Supreme Court of the United States to promulgate a code of ethics.

S. 1086

At the request of Mr. HATCH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1086, a bill to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under chapter 89 of title 5, United States Code.

S. 1112

At the request of Ms. HEITKAMP, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1112, a bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1437

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1437, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 1503

At the request of Ms. WARREN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2047

At the request of Mr. MURPHY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2047, a bill to restrict the use of funds for kinetic military operations in North Korea.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2265

At the request of Mr. NELSON, his name was added as a cosponsor of S. 2265, a bill to promote democracy and the rule of law in Nicaragua, and for other purposes.

S. 2271

At the request of Mr. REED, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2271, a bill to reauthorize the Museum and Library Services Act.

S. 2315

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2315, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved new drug application, and for other purposes.

S. 2317

At the request of Mr. MARKEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2317, a bill to amend the Controlled Substances Act to provide for additional flexibility with respect to medication-assisted treatment for opioid use disorders, and for other purposes.

S. 2361

At the request of Mr. RUBIO, his name was added as a cosponsor of S. 2361, a bill to amend the Federal Home Loan Bank Act to allow a captive insurance company that was a member of a Federal Home Loan Bank before January 19, 2016, to continue or restore the membership of the captive insurance company in the Federal Home Loan Bank, and for other purposes.

S. 2497

At the request of Mr. RUBIO, the names of the Senator from North Dakota (Ms. HEITKAMP), the Senator from Nevada (Mr. HELLER), the Senator from Michigan (Ms. STABENOW), the Senator from Idaho (Mr. RISCH), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 2497, a bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 2568

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2568, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 2621

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2621, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims or their family members, and for other purposes.

S. 2633

At the request of Ms. HARRIS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2633, a bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals, and for other purposes.

S. 2659

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2659, a bill to amend the Controlled Substances Act to authorize

employees of hospice programs to handle controlled substances in the residences of certain hospice patients to assist in disposal of those controlled substances.

S. 2708

At the request of Mr. MERKLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2708, a bill to provide for the establishment of Medicare part E public health plans, and for other purposes.

S. 2774

At the request of Ms. KLOBUCHAR, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2774, a bill to reauthorize the COPS ON THE BEAT grant program.

S. CON. RES. 7

At the request of Mr. ROBERTS, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 407

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 407, a resolution recognizing the critical work of human rights defenders in promoting human rights, the rule of law, democracy, and good governance.

S. RES. 481

At the request of Mr. HATCH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 481, a resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

Mr. ALEXANDER. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 10 a.m. to conduct a closed hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 10 a.m. to conduct a hearing.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 10 a.m. to conduct a hearing entitled ''Insulin Access and Affordability: The Rising Cost of Treatment.''

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 2:30 p.m. to conduct a closed hearing.

SUBCOMMITTEE ON AVIATION, OPERATIONS, SAFETY, AND SECURITY

The Subcommittee on Aviation, Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, May 8, 2018, at 10:15 a.m. to conduct a hearing entitled ''Keeping Pace with Innovation—Updating on the Safe Integration of Unmanned Aircraft Systems into Airspace.''

PRIVILEGES OF THE FLOOR

Mr. BROWN. Mr. President, I ask unanimous consent that privileges of the floor be granted to Rachael Hartford of my staff for the remainder of the day.

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

MEASURE PLACED ON THE CALENDAR—H.R. 4

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (H.R. 4) to reauthorize programs of the Federal Aviation Administration, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

ORDERS FOR WEDNESDAY, MAY 9, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, May 9; 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, I ask that following leader remarks, the Senate proceed to executive session and resume consideration of the Engelhardt nomination under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.

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

The Senator from Ohio.

OPIOID EPIDEMIC

Mr. BROWN. Mr. President, everyone in this Chamber knows how bad the opioid epidemic is. In my State, we have the second highest number of opioid deaths per capita in the country next to West Virginia. In my State, we also have more people die of opioid overdoses than any other State in the country. On average, 11 people died yesterday, 11 will die today, 11 will die tomorrow, and 11 will die on Thursday of opioid overdoses.

Last month at the Cleveland City Club, I called for a comprehensive, coordinated, and sustained public health campaign to fight addiction through education, prevention, treatment, and recovery.

We know from history that we cannot arrest or execute our way out of this crisis, whether in Montana or in Ohio. I met with law enforcement officers in every corner of my State. They shoulder a huge burden. They all tell me the same thing: They need resources to fight this. That is why I joined Senator PORTMAN and a bipartisan group of our colleagues on the POWER Act—to get State and local law enforcement the high-tech tools they need to effectively screen for dangerous opioids, such as fentanyl.

We also know from history that those enforcement tools are just one piece of this fight. We need a comprehensive approach, and that means recognizing how important treatment and rehabilitation are. We don't write off thousands of Ohioans struggling with addiction. We simply don't write off entire communities. That is where drug courts come in. These courts are partnerships between law enforcement and treatment providers. They are spearheaded by judges who see the same people back in their courtrooms over and over again for drug offenses. These judges realized that traditional court proceedings simply were not working. They weren't curing people's addictions. Fines and jail time don't cure a medical condition. So judges set up these special courts where participants agree to enter treatment programs and are strictly supervised by law enforcement. If they successfully complete the program, instead of going to prison, they have a graduation ceremony.

We have seen this model work successfully for veterans. There are hundreds of these courts across the country, which are built around counseling and treatment. Veterans who get into

trouble with the law often face unique issues, such as PTSD.

My office recently visited the first Federal Veterans Court in the Southern District of Ohio, in Dayton. We saw the difference it made in the lives of men and women who served this country. The court was created by my friend, Judge Michael Newman, with the support of Chief Judge Edmund Sargus. It works with the VA to help address the issues veterans are struggling with. My staff met with Page Layman, a veterans justice outreach coordinator who helps the participants in the program. He talked about how one of the participants in the court had limited transportation options and lived in a rural area, so Mr. Layman drove to meet him at the local library. Judge Newman reports that 49 veterans have graduated from the program with their charges dropped and are now leading healthier lives.

We have the same opportunity with drug courts. The Ohio Office of Criminal Justice Services studies these courts. They found that drug courts enhance treatment, increase collaboration in the community, and save taxpayers money.

My staff and I met with judges across Ohio who are helping people break the cycle of drug use and crime. Earlier this year, we talked with Hocking County Municipal Court Judge Fred Moses while he was in town as a State of the Union guest of Representative STEVE STIVERS of Ohio. He started an innovative drug court program just outside Chillicothe, OH, in 2012. As a judge, he saw the opioid epidemic coming years before most folks in Washington saw it. He started the first medication-assisted drug court program certified in my State. Five years later, his programs are reuniting families, cutting down on repeat offenses, and helping participants get jobs.

He and his staff are improving the lives of people in Southeast Ohio and serving as a model for other drug courts around the State and country. Since the program began, more than 30 other judges have visited Hocking County to learn about its success. Now we are seeing similar success all over Ohio.

Tuscarawas County has two drug courts—COBRA, in the Common Pleas Court, and the New Philadelphia Municipal Recovery Court. Judge Elizabeth Lehigh Thomakos runs the COBRA court, which held its 125th graduation. One graduate said:

> When I couldn't get clean, you helped me get clean. You guys believed in me when I couldn't believe in myself.

Another:

> My daughter has her mamma back. A healthy mom, hard-working, motivated, goal-oriented mom, who smiles again and is grateful in all she does. By this program shaping my future, it has also shaped hers.

The Recovery Court in New Philadelphia is run by Judge Nanette DeGarmo VonAllman. She hears so many stories like that one. She told the Times Reporter—the newspaper in Tuscarawas County—''We try to give them and their families hope: that treatment works and people do recover.'' Programs all over Ohio and all over the country are offering families that hope.

In Cleveland, the Cuyahoga County Drug Court, under Judge David Matia, has graduated more than 300 people. Both that court and the Cleveland Municipal Drug Court operate under the Stephanie Tubbs Jones Greater Drug Court umbrella, named for my former colleague.

In Marion, OH, Common Pleas Court Judge Jim Slagle, a longtime friend of mine, held a graduation ceremony for eight graduates at the end of last month. Jennifer, one of the women who spoke, talked about her granddaughter. She said:

> The most challenging part was admitting I needed this.

When she found out her granddaughter was going to be placed in foster care:

> I knew I had to do something. I needed to get myself together. I had to do it for her.

She has now been clean for 2 years. She has custody over her 18-month-old granddaughter.

These are the kinds of success stories we hear all over the State and all over the country. If we are successful in this fight, hundreds of thousands of fewer Americans will use opioids, but we will also have hundreds of thousands more who have used opioids but whose lives are not lost or ruined. They are going to be living with and managing their addiction. That is why we need to expand and build on these approaches.

I am also working with my Republican colleague, Senator CAPITO of West Virginia, on bipartisan legislation—the CARE Act—to combine existing resources from the Departments of Labor and Health and Human Services to fund combined addiction treatment and workforce training efforts.

I hear the same thing from mayors from New Philadelphia, Middletown, Chillicothe, and Piqua: Employers can't fill openings because workers can't pass drug tests. Ohioans struggling with addiction—even those who have completed successful programs like these drug courts—can't find jobs. Our bill will help those Americans continue their recovery with good jobs that provide stability.

The government is spending money on drug treatment, mostly through Medicaid, and the government, through the Department of Labor, is spending money on job retraining. Why not put them together so that people, while they get clean and get whole, are ready to go to work because they have had that job training?

I hope my colleagues will join me in supporting the CARE Act and finding ways to support successful drug court programs around the country.

NOMINATION OF MICHAEL BRENNAN

Mr. BROWN. Mr. President, tomorrow the Senate will vote to move forward with the President's nominee to join the Seventh Circuit Court of Appeals. It is a new low that sets a dangerous standard for judges who have the power to make critical decisions that impact the everyday lives of the people we serve.

Take a look at Judge Michael Brennan's record. At his hearing, he refused to acknowledge the ways our criminal justice system is biased against Americans of color. He made statements condoning judicial activisim. He argued that judges are justified in not following precedent if they feel it was incorrectly decided. Think about that for a minute.

I am not a lawyer, but I understand this about our courts: A judge who feels no obligation to follow precedent laid out by higher courts is not a judge; that is someone who has ceased to be bound by any standards guiding a judge. Precedent is the backbone of our legal system. Saying that judges can disregard it if they feel it is incorrect would be a radical departure. Think about how this could work. In a Brennan court, it could be OK for a judge not to follow a Supreme Court decision like Brown v. Board of Education, which desegregated schools, as long as that judge—in this case, I guess, Judge Brennan—believes the case was incorrect. If you disregard precedent, decades of legal progress could be rolled back. The well-established rights of so many Americans would be at risk.

During his hearing, Brennan claimed he was only talking about precedent from the same circuit, but the article where he originally made these arguments made no such distinction then, and Brennan even admitted that at the hearing.

We cannot entrust the people we serve to a judge who can't be trusted to follow settled law.

Brennan would also be the first judge in more than 35 years to be confirmed over the objection of a Senator from his home State. Think about that. That doesn't even account for the backstory that I am going to mention. He would be the first judge in 35 years to be confirmed over the objections of a Senator from his home State. Senator BALDWIN from Wisconsin has not returned her blue slip on Brennan. In departure from Senate tradition, Republicans had a hearing and are now allowing a vote on Brennan's nomination despite not having a blue slip from Senator BALDWIN.

The seat Brennan is nominated for has been vacant since 2010. Why? Because Senator JOHNSON, now the senior Senator from Wisconsin, did not return a blue slip on President Obama's first nominee to fill this seat. This body honored Senator JOHNSON's blue slip and was not going to confirm that nominee because the blue slip had not been returned. That was following the

precedent of this Senate—decades of precedent. The nominee therefore did not receive a hearing, let alone a vote. Now Republicans are refusing to show Senator BALDWIN the same level of courtesy and respect.

We have a blue-slip procedure in place not out of courtesy to Senators personally but to the Americans we serve. Senator BALDWIN represents the people who will be most affected by Judge Brennan's decisions. She opposes his nomination. Her blue slip should be respected.

The people served by the Seventh Circuit and Americans all over the country need judges who will follow the law. To be sure, Judge Brennan is not that judge. We can do better. We should do better. I ask my colleagues to oppose his nomination.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:38 p.m., adjourned until Wednesday, May 9, 2018, at 10 a.m.

EXTENSIONS OF REMARKS

REAPPOINTMENT OF THE CHAPLAIN OF THE HOUSE

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. RYAN of Wisconsin. Mr. Speaker, today, I exercised my authority under section 208(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. §5501(a)) to appoint Father Patrick J. Conroy of Oregon to act as and to exercise the duties of Chaplain of the House of Representatives. The exercise of this authority is the most expeditious means of ensuring the continued service of Father Conroy as Chaplain of the House. It is my hope and expectation that Father Conroy will serve as Chaplain for the remainder of the 115th Congress. As with all officers of the House, decisions on continued service in the 116th Congress will be made by that body.

HONORING ROBERT HURT, III

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable student, Mr. Robert Hurt, III.

Robert Lee Hurt, III was born in Greenville, Mississippi to Robert Lee Hurt, Jr. and Sharon Legale Hardison on February 22, 1996. Greenville, MS is the heart and soul of the Mississippi Delta, one of the most impoverished and educationally derelict areas in the United States. Despite these hardships, Robert excelled in academics and achieved the highest honors in the Greenville Public School District. Shortly after 2004, his parents moved to Leland, MS, and his academics continued soaring in excellence. Over the next 9 years, Robert developed into a community leader, performing community service around the town and in 9 additional states for Students Today Leaders Forever, a national community service organization. Soon after he graduated from Leland High School, he enrolled at Jackson State University, where he emerged as one of the brightest accounting students in the W.E.B. DuBois Honors College.

In the last 3 years, Robert interned with 5 companies, including NASA and Dixon Hughes Goodman, LLP, and strives to "pay it forward" by teaching students how to embrace different opportunities and maximize their potential. During his matriculation at Jackson State, Robert frequently earned the honor of being Dean's/President's List Scholar, and he leveraged his academic achievements to join and spearhead several organizations, such as the Accounting Society and the National Association of Black Accountants, and national conferences, such as the Mississippi State Honors College Conference and the National Association of African American Honors Programs. Robert won awards for his stellar performance in these positions, including "Mr. Accounting Society" for Jackson State's Accounting Society, "Outstanding Award for Student Treasurer" for the National Association of African American Honors Programs.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Robert Hurt, III for his dedication to serving others and giving back to the community.

IN HONOR OF JOE AND SHIRLEY HUBKA'S 65TH WEDDING ANNIVERSARY

HON. LIZ CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Ms. CHENEY. Mr. Speaker I rise today to extend my congratulations to Joe and Shirley Hubka on the celebration of their 65th Wedding Anniversary.

This significant benchmark is a symbol of their commitment to each other and to their family. I am happy to join their friends and family in extending my best to them on this special occasion.

Again, Mr. Speaker, I would like to extend my congratulations to Joe and Shirley on the celebration of their 65th Wedding Anniversary. I wish them the best today and for many more blessed years to come.

STEVEN CRISE-ZARATE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Steven Crise-Zarate for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Steven Crise-Zarate is a student at North Arvada Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Steven Crise-Zarate is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Steven Crise-Zarate for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING LIEUTENANT COLONEL MICHAEL ZACCHEA

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to honor Lieutenant Colonel Michael Zacchea of Brookfield, Connecticut, for his lifelong commitment to the military and public service. Lt. Col. Zacchea is a highly respected member of our community for his passionate advocacy for his fellow veterans and his tremendous leadership at home and abroad. I would like to take this opportunity to thank and recognize him for his countless contributions that have positively influenced the lives of many.

While serving in the United States Marine Corps, Mike participated in operations in Haiti, Somalia, and Iraq. Among his many accomplishments, he helped build, train, and lead the first Iraqi army battalion trained by the United States military. In his book, The Ragged Edge: A US Marine's Account of Leading the Iraqi Army Fifth Battalion, Mike details how he was able to break down cultural barriers to create a united front. His courage, resiliency, and fortitude are an inspiration to not only other service members, but to all Americans across the country. Thanks to his sacrifices and dedication to defend our freedom he has been awarded the Bronze Star Medal with Valor device, the Purple Heart Medal, and was the first American to be recognized by the Iraqi Government with the Order of the Lion of Babylon.

Since retiring from the Armed Forces, Mike has devoted his civilian life to advocating for and supporting veterans. In 2009, he founded the UConn Entrepreneur Bootcamp for Veterans with Disabilities, through which he has helped veterans start over 140 businesses, creating more than 350 jobs, and $40 million in economic activity. As Chairman of the Advisory Committee on Veterans Business Affairs for the Small Business Administration, he advises the Administrator on policies and issues that affect more than 2.5 million veteran-owned business. I am very proud to have Mike and his guidance on my Veterans Advisory Board.

Mr. Speaker, Lt. Col. Zacchea leads with his heart. He has dedicated his life to honorably serving our great nation and epitomizes the very best traditions of the United States. I thank him for his decades of hard work to ensure the protection and success of others, as well as his dear friendship. Therefore, it is fitting and proper that we honor Mike here today.

HONORING THE LIFE AND SERVICE OF LAWRENCE, INDIANA FIREFIGHTER JEFFREY HOLT

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mrs. BROOKS of Indiana. Mr. Speaker, it is with a heavy heart that I rise today to honor the life of an outstanding public servant, Jeffrey Holt, of the Lawrence Fire Department. For over two decades Jeffrey served the city and residents of Lawrence, Indiana, and we mourn his unexpected death. The people of Indiana's Fifth Congressional District are forever grateful for Jeffrey Holt's commitment to making the City of Lawrence a safer, better place to live.

The Lawrence Fire Department was established in 1859, and is located in Lawrence, Indiana. The department consists of five firehouses and provides fire and rescue protection to over 47,000 residents for 22 square miles. Being a firefighter is not for the faint of heart. Those who answer the call of duty are motivated by a sense of pride in their community and extraordinary care for their fellow citizens.

Although he was not born in Indiana, Jeffrey was a life-long Hoosier. A graduate of Benton Central High School, Jeffrey began his career in public service with the Otterbein Fire Department. Starting as a firefighter, Jeffrey quickly took on an expanded role within the department, becoming an EMT before joining the Purdue Fire Department in 1985. In 1994 Jeffrey attended paramedic training at Methodist Hospital. After completing his training, Jeffrey began his career with the Lawrence Fire Department in 1996. He served as a Firefighter, Paramedic, Engineer, Lieutenant, Division Chief of Training, and Deputy Chief of Operations.

Jeffrey was passionate about music and was the lead singer of several bands including; the Rich Kids, Renegade, Midian, Illicit Affair, Winston Wolf, and Paper Valley.

Jeffrey and his wife Dr. Lindi Holt were married for almost 20 years. In addition to his wife, Jeffrey is survived by his parents Dr. Donald and Marilyn Holt, step children, Jennifer and Rachel, and many other loving family members.

Jeffrey will be forever missed by his family as well as his colleagues and friends in Lawrence and at the Lawrence Fire Department. The people of Indiana's Fifth Congressional District are grateful for Jeffrey's service to our Hoosier community. I extend my deepest condolences to Jeffrey's family, the Lawrence Fire Department, the City of Lawrence, his friends, and his fellow firefighters who mourn his loss.

PERSONAL EXPLANATION

HON. KATHERINE M. CLARK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Ms. CLARK of Massachusetts. Mr. Speaker, yesterday I was unavoidably detained in my district. Had I been present, I would have voted the following way: Roll call vote 167—Yes, and Roll call vote 168—Yes.

KADE GANNON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kade Gannon for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Kade Gannon is a student at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kade Gannon is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kade Gannon for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING TONY HOLLAND

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable young man, Mr. Tony Holland of Oxford, MS, who's currently a student at Mississippi Valley State University.

Tony Holland is the son of Angela Cohran and Tony Holland, Sr. He is one of three siblings to Aaliyah F. Holland and Lydia Holland. Tony was a graduate of the 2015 class of Oxford High School, where he held the position as the senior class President. During his years in High School, Tony was very involved and influential in many of his peer's lives. Tony was a member of the Fellowship of Christian Athletes, Future Educators Association and the varsity Cheerleading team, as the school mascot. While in high school Tony decided he wanted to devote his career to children through the field of Elementary Education at the illustrious Mississippi Valley State University in Itta Bena, MS.

In 2015, Tony started his years at Valley, involved with the SGA as the freshmen class Vice President (2015–2016). In 2016–2017, he worked with the Royal Court as Mr. Sophomore and Mr. Junior (2017–2018). Tony has helped serve in the Delta area with the Male Initiative and Valley Trailblazers, tutoring, assisting with campus tours and helping students move on campus. Having to maintain a GPA while helping others throughout the campus and community; programs such as Student Support Services and the University Ambassadors has helped Tony stay on top of his own work and endeavors.

Going into his senior year, Tony is making preparation to start his reign as the next Mr. Mississippi Valley State University, for the academic school year of 2018–2019. Very creative and strong will, Tony ran his campaign platform on Evolve and Empower (E∧2). Tony felt evolving the campus and empowering others was the key to successfully making campus life better. After completing this academic school year, Tony will graduate with honors in May of 2019.

Tony is a proud member of the Zeta Zeta Chapter of Kappa Alpha Psi Fraternity, Incorporated, where he currently serves as the secretary and treasurer.

After graduating from Mississippi Valley State University, Tony plans to teach in the Mississippi Delta while in graduate school at Delta State University in the Master of Education, Educational Administration and Supervision program. After completing graduate school, Tony will seek employment as a principal and continue to move in the direction that God provides for him, going higher and higher in his endeavors.

Mr. Speaker, I ask my colleagues to join me in recognizing such a remarkable student, leader, community volunteer, and young man, Mr. Tony Holland for his dedication and hard work to Mississippi Valley State University and the Delta area.

IN RECOGNITION OF MICHAEL K. BAKER'S DEDICATION TO THE HOUSE AND THE COMMITTEE ON WAYS AND MEANS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. BRADY of Texas. Mr. Speaker, I would like to recognize Mr. Michael K. Baker, the Chief Clerk of the Committee on Ways and Means Committee, who recently left the Committee staff after seven years of dedicated service.

Michael began his Congressional career as an intern under then Ways and Means Chairman Dave Camp. Michael shortly joined the Ways and Means Committee staff and served as Clerk over the past seven years under Chairman Camp, Chairman PAUL RYAN, and myself.

During his time with the Committee, Michael has overseen too many hearings to count and markups involving transformational tax, trade, and health care legislation. But at the end of markups that often stretched long into the night, after the crowds had gone home, you could find Michael back at his desk faithfully entering votes and statements into the record. His dedication to the legislative process and commitment to serving the American people is an essential part of the Committee's work. We simply could not have done all we have been able to achieve in recent years without his dedication and hard work.

Some markups, especially those stretching late into the night and involving dozens of amendment votes, would be particularly challenging for someone in Michael's position. But he was always undeterred. At those moments he would turn to those close to him to remind them—with a half-serious, half-joking smile—"We do not have to do this. We get to do this." I truly believe the lives of all Americans are better because of Michael's service at the Committee.

I know I speak for all Members and staff of the Committee on Ways and Means when I

say we greatly appreciate all of Michael's dedicated effort. We thank Michael for a job well done and we wish him every success in his bright future.

RECOGNIZING THE 50TH ANNIVERSARY OF THE BRUCE W. CARTER VA MEDICAL CENTER

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. DEUTCH. Mr. Speaker, I rise today along with my colleagues, Representative ALCEE HASTINGS, Representative DEBBIE WASSERMAN SCHULTZ and Representative FREDERICA WILSON, to recognize 50 years of service to our Veterans in South Florida. The Miami VA Medical Center, renamed the Bruce W. Carter VA Medical Center in 2008, held its ribbon cutting on May 5, 1968. Originally a 630,000 square foot facility, the facility has nearly doubled in size to care for more than 57,000 Veterans per year in Miami-Dade, Broward, and Monroe Counties.

The Miami VA Healthcare System is an accredited comprehensive medical provider, providing general medical, surgical, inpatient and outpatient mental health services. Recognized as a Center of Excellence in Spinal Cord Injury Research and Substance Abuse Treatment, it also houses an AIDS/HIV center, a prosthetic treatment center, spinal cord injury rehabilitative center, chest pain center, and Geriatric Research, Education, and Clinical Center (GRECC). Additionally, the Miami VA Medical Center was home to the first nursing home in the VA System.

Mr. Speaker, as a parent facility, the Bruce W. Carter VA Medical Center supports 8 VA clinics from Key West to Deerfield Beach. These include two major satellite Outpatient Clinics, five Community Based Outpatient Clinics, and four Readjustment Counseling Centers, or Vet Centers. These Miami VA Healthcare System facilities serve our Veterans through their more than 750,000 visits each year.

We join together to recognize the Miami VA Healthcare System and its continued service on behalf of our Veterans. We support the Miami VA Healthcare System in its mission to honor America's Veterans by providing exceptional health care that improves their health and wellness.

ETHAN GARCIA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ethan Garcia for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Ethan Garcia is a student at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Ethan Garcia is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ethan Garcia for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 167 and 168 on Monday, May 7, 2018. Had I been present, I would have voted Yea.

IN RECOGNITION OF GREG REED

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. WITTMAN. Mr. Speaker, I rise today in recognition of Greg Reed, band teacher at Fredericksburg Christian School and Commander of the Enduring Freedom Honor Team.

Under Greg's leadership, the Honor Team performs 30–50 events annually at a variety of different venues including the National D-Day Memorial; the National Museum of the Marine Corps; the Pentagon; Walter Reed Army Hospital; National Naval Medical Center; the Capitol; National Mall; and countless VA hospitals. The group has received recognition from military installations and the Virginia House of Delegates. Additionally, they support the Honor Flight Program, performing for more than 500 World War II and Korean War veterans as they visit the nation's Capital and the National Museum of the Marine Corps.

Greg enjoys watching his students interact with veterans and grow from these experiences. The Honor Team's main missions are to bring awareness, gratefulness, and recognition to the United States Military and their families' sacrifices, past and present.

Mr. Speaker, I ask you to join me in thanking Greg for his leadership and continued desire to give back to veterans.

HONORING BETHEL AFRICAN METHODIST EPISCOPAL CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, Bethel African Methodist Episcopal Church. Bethel AME has served as a catalyst for the African American growth in Yazoo County and the State of Mississippi.

Organized in 1868, Bethel is the oldest African American congregation in Yazoo City. Designed by A.S. King, Bethel A.M.E. is one of the earliest brick churches built by African Americans in Mississippi, and is the only downtown Yazoo City church building left standing after the fire of 1904. Although the building has had alterations, Bethel retains its historic Romanesque Revival tower, whose steeple is clad in sheet metal panels stamped to resemble shingles.

A group of African Americans first began worshipping in what was known as "The Market" shortly after Emancipation. The vision of the church at its current location began on May 29, 1874 when the church acquired the property at 214 S. Monroe Street. According to church history the building was erected under the leadership of Rev. Dangerfield.

One original piece that strikes a chord with its long time members is the bell inside the steeple. The bell is still very present in the hearts of church members. The bell could be heard throughout the community sending sounds of joy, fellowship and worship.

Mr. Speaker, I ask my colleagues to join me in recognizing Bethel African Methodist Episcopal Church for its rich heritage and dedication to serving others and giving back to the community.

AREZ GHAFOUR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Arez Ghafour for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Arez Ghafour is a student at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Arez Ghafour is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Arez Ghafour for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PERSONAL EXPLANATION

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. JENKINS of West Virginia. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 167 and YEA on Roll Call No. 168.

RECOGNIZING WILDERNESS INQUIRY'S FORTY YEARS OF OUTDOOR EXPLORATION AND INCLUSION

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Ms. McCOLLUM. Mr. Speaker, today I rise to honor Wilderness Inquiry as it begins a year of celebration of its 40th anniversary with a May 7th celebration in the Minnesota State Capitol rotunda. A Minnesota nonprofit, Wilderness Inquiry is a national treasure, serving as a portal to the natural wonder around us—from right in our backyard to across the globe. During its first 40 years, Wilderness Inquiry has provided outdoor adventures for more than half-a-million people of all ages, backgrounds and physical abilities, Their work is defined by the understanding that our natural world belongs to all of us, and we can all enjoy and benefit from time shared together in the great outdoors.

A lifelong passion for the outdoors led two new 1978 college graduates named Greg Lais and Paul Schurke to be trailblazers in organizing expeditions for all. The success of an earlier week-long trip to the Boundary Waters Canoe Area Wilderness with a group of people with a variety of physical abilities served as inspiration for a bold new nonprofit that could offer true wilderness adventures to everyone. ''Wilderness Inquiry'' was born, and under Greg's ongoing leadership, has grown to offer an incredible assortment of trips, both around the nation and across the world, that welcome people from all walks of life and all abilities. Whether it's a first canoeing trip down a local river, camping in a national park, or exploring the farthest reaches of the world, Wilderness Inquiry empowers everyone to access adventures. Their amazing team of staff and outdoor leaders create trips that are fun, memorable and life-changing for students, families and business teams alike.

The strength of Wilderness Inquiry is that it doesn't do it alone. Through partnerships with more than 100 organizations, they fulfill their mission to share the outdoors with everyone. I am particularly proud of Wilderness Inquiry's collaboration with U.S. Interior Department agencies like the National Park Service and the U.S. Fish and Wildlife Service on its Canoemobile initiative. This ''floating classroom'' works with urban cities and school districts, countless volunteers and other organizations to bring students from all backgrounds out on waterways around the country in beautiful, hand-crafted 24-foot Voyageur canoes to learn about science, history, geography and culture.

Braving the wilderness doesn't come naturally to everyone. It takes courage to step outside our comfort zones. Wilderness Inquiry offers the support and opportunity for everyone to make this leap. Through these shared adventures, presumptions are challenged, people grow, and community is strengthened. I can vouch for the fact that these adventures are fun. But the best proof is in the smiling faces of the more than 40,000 people that Wilderness Inquiry serves each year.

It's no surprise that over the years Wilderness Inquiry has received numerous awards in recognition of their unwavering commitment to people with disabilities, underserved youth, outdoor education, and conservation.

Mr. Speaker, please join me in rising to recognize Wilderness Inquiry on their 40th anniversary and commending the passion and dedication of so many volunteers, staff, board members and partners for their efforts in providing outdoor opportunities for all.

IN HONOR OF THE LIFE OF CHARLES ''CHUCK'' J. WEIR

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise today with a heavy heart to honor the life of Mr. Chuck Weir, who recently passed away at the age of 86, just hours before his 87th birthday. As a resident of Leesburg, Virginia, Chuck devoted his life to his family and public service, living as a selfless community servant. He was dedicated to his beloved wife of 57 years, the late Darlene Weir and together they raised four children, Sue Ellen Jones, Maureen Kay Woods, Gregory Allen Weir, and Jeffery Charles Weir.

Chuck was a respected leader in the Commonwealth who brought honor and integrity to everything he did. His deep passion for service left an impression on every person he met. During the Korean War, he enlisted in the United States Marine Corps, receiving an honorable discharge as a Staff Sargeant. Chuck carried a passionate spirit throughout this world and always shared it unto his colleagues.

Upon completing his undergraduate degree, Chuck taught junior high school in Oregon. In 1957, he returned to service in the USMC with a commission as a Second Lieutenant. Chuck thoroughly enjoyed his 17 years as an officer in the Marine Corps. He retired as a Major in 1970 due to combat disability after he was seriously wounded during his service in Vietnam. Chuck was awarded a Purple Heart for his injuries. He also received his MPA in Computer Science from American University in 1970. His second career as a civil servant for the United States Government was cut short due to another injury that left him permanently disabled in 1976.

Chuck then devoted his life as a citizen who profoundly impacted our community. He was selfless and dedicated to bettering the world around him. He served on the school board for the Falls Church City Public Schools. He was a member and President of the Homeowner Association boards where he lived in Oakton and Lansdowne, Virginia. Chuck had a drive and a passion to support the people and causes he held dear. He also served the youth of his community as a member and President of the Arlington Optimist Club. Chuck served as a member of the C&O Canal National Park Commission for 21 years, making sure that this hometown National Park was preserved and protected for all to enjoy. He was honored to serve veterans as a member and President of the board for the Virginia Veterans Care Center in Salem, Virginia.

Chuck was an architect of the Republican party and we will forever be grateful for his service. He was a member of the committee for President Ronald Reagan's inauguration. Chuck was the Republican Party's 10th Congressional District Chairman in Northern Virginia. He was also a Virginia delegate to the Republican National Convention, and he served on the State Central Committee of the Republican Party of Virginia.

In all passions, Chuck was enthusiastic about serving people. His presence was noticed by more than just his friends and family as he always displayed wisdom and strength and constantly mentored those around him. His heart was sincere, and his legacy serves as inspiration for others to also endure in public service.

Mr. Speaker, I ask you to join me as we recognize the many contributions of Chuck Weir. The impact he has had on the Commonwealth of Virginia and to our country will never be forgotten, and I offer our deepest condolences to the Weir family.

BRADY A. HACKBARTH

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brady A. Hackbarth for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Brady A. Hackbarth is a student at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Brady A. Hackbarth is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brady A. Hackbarth for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING NATIONAL TRAVEL AND TOURISM WEEK

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognIze May 6 through 12, 2018 as National Travel and Tourism Week in Napa County, California, an occasion to commemorate, congratulate and celebrate the people who work in tourism and hospitality.

Travelers and their spending are essential to Napa County's, and all of California's, economy. The tourism and hospitality industries are responsible for strengthening the economy in California's Fifth Congressional District. Tourism is the second largest industry in Napa County and supports over 13,000 jobs in our community, mainly in the restaurant, hotel and retail sectors. In 2016, 3.5 million visitors to the Napa Valley spent nearly $2 billion, an increase of 17.5 percent from 2014. This spending generated over $80 million in tax revenues

to our local governments in Napa County. These tax dollars supported and benefitted our community in many ways, including improving infrastructure and public safety.

National Travel and Tourism Week recognizes the important impact travel and tourism have on our economy and celebrates our community and the people that work in this important sector. Through their customer service and positive interactions with visitors they promote Napa County as a world-class destination. This week is a chance to commemorate members of the hospitality and related industries and acknowledge the work they do and the important role they play in our economy and community.

Mr. Speaker, travel and tourism are essential to our region in terms of our economy and our community's character. Therefore, it is fitting and proper that we recognize May 6 through 12, 2018 as National Travel and Tourism Week in Napa County, California.

TRIBUTE TO THE LATE CYRUS M. JOLLIVETTE

HON. AL LAWSON, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. LAWSON of Florida. Mr. Speaker, I rise today to honor the life and legacy of Cyrus M. Jollivette, who passed away suddenly a few days ago, at the age of 72. Russ, as he was affectionately known, embodied the very best of the American spirit and ideals. With his passing, Florida, and indeed, our nation has lost a beloved leader and a cherished friend.

Russ was a great friend to this institution and well known to many of us here in the House, from his many years representing Blue Cross and Blue Shield of Florida, and the University of Miami in Washington. I speak for all of us when I say that our thoughts and prayers go out to his family especially his sister Regina, Cleo, his daughter Lynn and grandkids Richard and Lauren.

Russ loved his community and always worked tirelessly to make life better for someone else. He embodied the axiom of Mary McLeod Bethune that former U.S. Rep. Carrie Meek taught us: "service is the price you pay for the space that God lets you occupy."

In that tradition, Russ left his mark in so many ways. At the University of Miami where he helped to expand the University's research and biomedical mission, as well as the campus footprint in Miami. In the arts, his work with the Ritz Chamber Players is legendary.

Russ was a man of faith. He had faith in God. Faith in his family. Faith in his community. And, faith in his country.

His loss will be deeply felt across Florida and this nation. May it be a source of comfort to you Lynn, Cleo, and Regina, and all of his family and friends that so many in our community, our state, and our country mourn with you.

MEANINGFUL WORK AND MENTORSHIP GIVE VETERANS A FUTURE, NOT JUST A JOB

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. GOSAR. Mr. Speaker, I would like to commend the work of Embry-Riddle Aeronautical University, and include in the RECORD an article by P. Barry Butler on its program.

Joseph Scanlan left for Marine boot camp the day after his 18th birthday. At 23, he was ending his service as a platoon sergeant. Unlike many veterans, he knew where he was going next: Microsoft.

Although the veteran unemployment rate hit its lowest point in more than a decade in December 2017, U.S. Bureau of Labor Statistics experts say the data do not reflect underemployment. Many are trapped in minimum-wage jobs that only add to the pressure of transitioning to civilian life.

Today, Scanlan is a Microsoft Premier Field Engineer based in Boulder, Colo. He entered the skilled workforce through the Microsoft Software & Systems Academy (MSSA) program, available through Embry-Riddle Aeronautical University. He is now pursuing a degree in Technical Management from Embry-Riddle and hopes to work on artificial intelligence or cloud computing.

Microsoft launched the MSSA program in November 2013 at Joint Base-Lewis McChord. The reskilling program is now accessible to military personnel across the country. Enrollment is open to transitioning service members within six months of separation and honorably discharged veterans who recently transitioned from the military.

The two-term, 18-week program available through Embry-Riddle prepares graduates to launch careers as server and cloud administrators, cloud applications developers and cybersecurity administrators. Graduates are guaranteed an interview for a full-time job at one of the more than 280 industry hiring companies.

They enjoy a 92 percent placement rate in the IT industry at an average starting salary of more than $70,000. For the 80 percent who enter the program without a degree, this triples their earning potential.

By 2020, Microsoft estimates they will graduate approximately 1,000 students annually from the MSSA program.

''Along the way, we've learned valuable lessons about the importance of mentorship, communication, interpersonal training, and dedicated one-on-one career support—and I believe this model is ripe for expansion,'' said USMC Maj. Gen. (Ret.) Chris Cortez, Vice President of Microsoft Military Affairs.

Scanlan is part of that one-on-one equation. After his graduation, he mentored the first MSSA cohort at Fort Carson, Colo. He had no IT background going into MSSA, so he can speak directly to the anxieties of veterans with minimal technical skills as they tackle a challenging mix of theory, practice, virtual labs and certification testing. He cites his work ethic and willingness to learn as qualities that now make him successful at Microsoft.

Corporations and universities have a strong incentive to reach out to veterans like Scanlan. Bringing them into technology fields such as IT fills a science, technology, engineering and mathematics (STEM) skills gap and promotes diversity in the workforce.

The United States invests in military personnel and entrusts them with the highest level of responsibility. We can benefit from this investment by welcoming veterans as skilled employees with demonstrated potential as leaders and mentors.

We cannot afford to squander talents just because a person's active service has ended. A job allows them to survive. A career—with the opportunity to mentor others—gives them back a future.

JAYDEKAI HANH

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jaydekai Hanh for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Jaydekai Hanh is a student at Arvada K–8 and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jaydekai Hanh is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jaydekai Hanh for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PERSONAL EXPLANATION

HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. GONZALEZ of Texas. Mr. Speaker, I was unable to cast my vote for Roll Call vote 167 and 168 on May 7, 2018. Had I been present, my vote would have been the following: Yea on Roll Call vote 167, and Yea on Roll Call vote 168.

IN HONOR OF TYLER MILLER BEING NAMED THE 2018 BUSINESS PERSON OF THE YEAR FOR THE STATE OF WYOMING

HON. LIZ CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Ms. CHENEY. Mr. Speaker, I rise today to congratulate Tyler Miller for being named the 2018 Business Person of the Year for the State of Wyoming.

Small businesses are the foundation of our economy. Every year, the Small Business Administration recognizes one business person from each state who exemplifies the values and dedication of those businesses around the country. This year, Tyler Miller was selected for this honor for the state of Wyoming.

Mr. Miller is the president of Earth Work Solutions in Gillette, Wyoming. Earth Work Solutions is a construction company whose employees pride themselves on their

craftmanship, dedication to their clients, and commitment to environmental stewardship. It has been a staple in the community for over forty years, and continues to strive to improve our state and its services. Mr. Miller and his employees embody the hard work, skill, and grit that is embedded in our Wyoming way of life. I thank Mr. Miller for the excellent example he has set for businesses across the state and country.

Again, Mr. Speaker, I would like to congratulate Tyler Miller on being named the 2018 Business Person of the Year for the State of Wyoming, and thank him for his hard work and contributions to our community. He and his family should be very proud.

HONORING EVANGELIST DR. LENA BELL TYLER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, Evangelist Dr. Lena Bell Tyler.

Growing up in Raymond, Mississippi Lena was swayed by the teaching of her parents, Will and Pearl Singleton. Her Mother was very much involved in community activities. Lena learned very early in life, that if you want to make a difference in life you must be involved.

Lena Tyler's professional occupation was in the Human Service field as a file clerk, in 1975 at Hinds County Public Welfare, now called Hinds County Department of Human Service. While working in the File Room, Lena would read cases involving neglect and abuse of children, causing the State system involvement, which motivated her to enroll in night school at JSU to work toward a Degree in Social Work. She retired as a Plans Grants Manager with the City of Jackson.

A greater contribution to humanity was made in 1997, when Ms. Tyler was elected President of the Mississippi A. Philip Randolph Institute (APRI), becoming the first woman elected to serve in this position, under her leadership the Organization grew in membership and (4) four new Chapters were established.

In 1980 Ms. Tyler got involved in Voter Registration, Voter Education Programs offered by Mississippi A. Philip Randolph Institute (APRI) and became a registered voter and quickly became involved in encouraging youth to get involved in the political process.

Being actively involved in workshops and conferences taught her to always be in touch with the leadership that could make positive impacts on lives of people she served and by going the ''Extra Mile'' she created positive change in the lives of so many citizens throughout the community.

Founder, President of New Way Proverbs Ministry since 2011, Lena shares the gospel at Community Stewpot, Baptist Adult Day Health Services in Clinton, MS., Magnolia Nursing Home, Ruth Refuge Ministry for Women, and through the Kairos Prison Ministry. She also provides a healing and comforting ministry to patients at Baptist Medical Center, St. Dominic's Hospital and University of Mississippi Medical Center. Lena's ministerial outreach activities also include visiting individuals at their homes. Messages are delivered with printed materials, pamphlets and small gifts acknowledging birthdays and holidays. These Ministries are supported via personal financial donations from family, friends and colleagues.

Mr. Speaker, I ask my colleagues to join me in recognizing Evangelist Dr. Lena Bell Tyler for her dedication to serving others and giving back to the community.

NATHAN HANNAH

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Nathan Hannah for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Nathan Hannah is a student at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Nathan Hannah is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Nathan Hannah for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

POEM IN HONOR OF THE LIFE OF CONGRESSWOMAN LOUISE McINTOSH SLAUGHTER

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. CROWLEY. Mr. Speaker, I rise today in honor and in memory of a wonderful former Chairwoman from Western New York, Congresswoman Louise Slaughter who blazed new trails and touched many lives. I would like this poem penned in her honor by Albert Carey Caswell be included in the RECORD.

HER GOLDEN YEARS

(By Albert Carey Caswell)

Her Golden Years
As all through here,
'oh how she persevered
As a public servant,
serving her Nation and District here
Walking the Halls of Congress in her Golden Years
While, most people would have been content
To rest and relax and enjoy their remaining days upon this earth as spent
But, that was not her intent
While, into her Golden Years she spent
working ever harder here
As she was just reaching her stride so clear
As to new heights she'd climb without fear
As The First Chairwoman of The Rules Committee,
becoming a pioneer
Geez Louise as it all seems clear
How you gave your heart and soul my dear
For Woman's Rights and all that you held dear
As you came into Congress in 1986
with John Lewis that great Civil Rights pioneer
And for America as Frank would say,
''it was a very good year''
Like Henry, Abraham, and Muhammad Ali,
you were born of that Kentucky clay
And as them too,
to greatness you made your way
While, onto that Empire State you'd stay
Falling in love with a great man named Bob,
and three beautiful daughters, Robin, Amy, Megan together you made
And one day in the Halls of Congress,
everyone knew you were a Who's Who
Because, of the way you carried yourself for all to view
A kind warm woman of character and class,
who stood by her principles steadfast
And when fighting for your legislation you could be as tough as could be,
maybe because you came from that Hatfield's and McCoy's battle between families
As you left behind a lot of gold in your legacy
In her Golden Years for all to see
Your lessons about life and what we can be
That you're never too old to make a difference,
and give back to all of humanity
Or to embark upon a journey to make history
There are Rules to learn about her life,
work long and hard and giving back and you will burn bright
Rise up to heaven my child,
where your husband Robert awaits with open arms for you and smiles
And now we lay your fine body down to rest the while
Her Golden years.

TRIBUTE TO CHUCK HALL

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to Chuck Hall, a close friend and longtime leader in the UAW, who is retiring after 46 years of dedicated service to the union and to his fellow members.

Chuck Hall worked his way up the ranks on behalf of workers and their families. He joined the UAW in 1972 as a member of Local 3, when he worked for Chrysler's Winfield Foundry on the east side of Detroit, Michigan. In 2005, Chuck became a UAW staff member, and in June of 2010, he was elected Director of Region 1 at the UAW's 35th Constitutional Convention. UAW Region 1 has the largest membership of any UAW region, including 52,000 active employees and approximately 100,000 retirees.

As Director of Region 1, Chuck oversees 40 local unions covering 8 counties in Michigan as well as Canada. Throughout his tenure as Director, Chuck has been an energetic and attentive leader committed to ensuring that his brothers and sisters in the UAW are fully represented while training local union officers to be successful leaders themselves. He has hosted hundreds of training programs and conferences to give local union officers the tools they need to effectively conduct strategic planning, enforce health and safety of their members, handle grievances, and run their local unions.

Chuck's leadership extends broadly throughout the community. He serves on the boards

of organizations which provide vital services to people throughout Metro Detroit, including Community Caring, United Way of Southeast Michigan, and Care House. He is especially proud of the work done by Community Caring, which provides eyeglasses to children whose parents cannot afford to purchase them, and provides Christmas presents to children who would otherwise not receive them.

I have no doubt that Chuck's wife, Joyce; his children Alicia, Charles II, and Jason; and his grandchildren Savannah and Charley will welcome the opportunity to spend more time with him during his retirement. I am confident that Chuck, an avid bowler, will look to add to his incredible 13 sanctioned perfect 300 games at the blowing alley.

Mr. Speaker, I have worked closely with Chuck throughout his 8 years as Director of Region 1, and like so many in public life and in the labor movement, I have been deeply grateful for his wise counsel on many issues and for his friendship. I ask my colleagues to join me in thanking Chuck Hall for his 46 years of service to the men and women of the UAW, and in wishing him well in his retirement.

PERSONAL EXPLANATION

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. DELANEY. Mr. Speaker, I was unable to cast my vote on roll call No. 168. Had I been present to vote on roll call No. 168, I would have voted 'YEA'.

SAMUEAL HAYS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Samueal Hays for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Samueal Hays is a student at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Samueal Hays is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Samueal Hays for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING JOE EDDIE HAWKINS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an extraordinary community pioneer, Mr. Joe Eddie Hawkins.

Joe Eddie Hawkins was born on September 21, 1953 and is still as strong in his beliefs and empathetic of the many insurmountable problems and issues that have troubled his heart for many years regarding his community and Tunica County. Yet, some are better and some are still much alive, but he continues to ''PUSH'' forward. Joe once asked the questions ''Are ''leaders'' made or born?'' He said that ''Leaders are born.'' Joe has been one of the most visible leaders and spokespersons to fight against injustice and inequality for a long saga for: better and affordable housing; better health care and of course, a better education for all; so children can read and write to help empower themselves to succeed in the world of work.

Joe was a 1971 graduate of Rosa Fort High School, located in Tunica Mississippi. Here he met Rose Mary Huddleston, then he enlisted in the United States Marine Corps to continue to serve others and his country, but he was injured and received an Honorable Discharge.

Joe later married Rose in 1974, a woman of intellectual strength, God fearing and of radical faith. Four daughters were born: Ayanna, Rasheda, Jo Yarketta and Henrietta. Being a leader and even with his disabilities; he continued to persevere and received an Associate Degree in Drafting and Designing from Northwest Mississippi Junior College (NWMJC).

Joe has been a community philanthropist and on a mission for over thirty years with also great concerns about the needs and poverty of other countries and other parts of the world.

After graduating from NWMJC; Joe took on the challenge and decided to work in Tunica for the Department of Human Services (DHS) as an Eligibility Worker. Joe made home visits throughout the county and he became more aware of the great needs for housing and how many poor and underprivileged families were seen . He was very disheartened and disturbed by his observations. Joe began his work as a leader and met with other concerned citizens of this county to help solve the problems of poor housing and gruesome unsanitary conditions.

In the year of 1986, Joe was one of the pioneers of the Sugar Ditch Saga that helped the families with their transition and orchestration to 17 Trailer Houses in the Sear's Subdivision that were generated by Federal Funds. He has also written grants to build low income families better homes and aided with self-build homes for this community. A charter grant was received from USA of Africa. With the funds, Joe was instrumental in building a community store located in White Oak Subdivision by Tunica County residents of skilled builders. Jobs and skills were provided to the community and also the store is still being a benefit to the community.

In 1986, Joe was the founder of Dr. Martin Luther King, Jr.'s Commemorative Services. The dream is ongoing with its success. This year the 32nd Commemorative Program was celebrated.

Joe has received many awards of his outstanding recognition for his service to this community. He continues to serve his county, but during a different mission: Lifetime Award: Lifetime Achievement Award from Concerned Citizens for a Better Tunica Co., Inc. / Tunica Teens In Action; Dedication and Hard Work: Many contributions for the community and of Tunica County. Serving: In the Name of Allah: the Beneficent, The Merciful Minister James Muhammad and The Nation of Islam; The County of Tunica; The State of Mississippi; The USA and The Nation of Islam. FREEDOM: (Black History and Spirit Award); Recognition of Dedication: Contribution as a Pioneer for Justice and Equality for a Better Community of Tunica County.

On January 3, 2012, Mr. Joe Hawkins was appointed to serve as Tunica County Road Manager by the Tunica County Board of Supervisors. He also serves as the Secretary and Treasurer for the Mississippi Association of County Road Managers, where he is a very active member. During his time as Tunica County Road Manager, Mr. Hawkins has done several things to continue to help make his community a better place:

1. He started a Second Change Program which allow for individuals who have been felons to be given an opportunity to work as he mentors them on the job.

2. He convinced the Board of Supervisor that all of his men deserve to get paid a living wage so they can adequately take care of their families.

3. Mr. Hawkins made sure all of his workers receive their proper retirement benefits for those who worked for the county over 20 years.

He has also received many calls, correspondences and verbal encounters for the services that he and his staff rendered; especially executing the safety of the roads, due to his caring heart.

Joe states, ''In order to be a strong black man, unwavering in his faith and vision as a leader; to fulfill his calling; hear the ''cry of the poor''; he must be non-fearing to man, but God fearing; then I can lead my people.'' Psalm 41: 1 states: ''Blessed is he that considereth the poor: the LORD will deliver him in time of trouble.'' Regardless of Joe's physical disabilities, his dedication and true commitment to God; God has sustained him to continue the fight with momentum. The battle is not over yet for Joe; he is now fighting with other county residents for a new high school.

Tunica will seem to have many undefeatable problems, but together they are pushing forward to beat the enemy down. Philippians 3:13 states: (b): ''But this one thing I do, forgetting those things which are behind, and reaching forth unto those things which are before.''

Mr. Speaker, I ask my colleagues to join me in recognizing Joe Eddie Hawkins as an amazing trailblazer who is goal oriented and making a difference in his community.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Ms. MOORE. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 167.

PERSONAL EXPLANATION

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. TONKO. Mr. Speaker, on May 7, 2018, I was engaged in official business in my Congressional District and was not present to vote on H.R. 4910 or H.R. 4335.

Had I been present, I would have voted YEA on H.R. 4910 and YEA on H.R. 4335.

MALIK JOHNES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Malik Johnes for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Malik Johnes is a student at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Malik Johnes is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Malik Johnes for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN MEMORIAM OF PAUL POWELL

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. SABLAN. Mr. Speaker, I rise today to honor Mr. Paul Powell for his years of hard work with the Department of Homeland Security's U.S. Citizenship and Immigration Services and for his service to the people of the Northern Mariana Islands.

Paul passed away Friday, April 20.

Most of my constituents have never heard of Paul Powell. Yet, behind the scenes, as the Department implemented the law that brought the Marianas within the U.S. immigration borders, Paul was our friend.

Of course, his official responsibility was to the agency he worked for. But I think Paul always appreciated that a smooth transition could only occur if both parties understood the constraints and realities each faced. Paul made it his personal responsibility to make sure that understanding could exist.

I know I will never know fully how important Paul's work as an intermediary was to the people I represent. I do know that his cordiality, his respectfulness, his willingness to listen, his ability to convey my concerns, and, yes, his helpful suggestions on how I could best express those concerns to his agency are qualities that I held dear.

I feel blessed to have known Paul and will miss him deeply.

On behalf of the people of the Northern Marianas, I extend our deepest sympathies to Paul Powell's colleagues at the Department of Homeland Security, and to his family: sister Laurie Lee Jones, brother John, daughter Sara, and son-in-law Lt. Commander Bryan Conlan, his grandchildren Hunter and August, and, especially, to Paul's wife, Cathy.

TRIBUTE TO CYRUS ''RUSS'' JOLLIVETTE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. CLYBURN. Mr. Speaker, I rise to pay tribute to an outstanding public servant, Cyrus Jollivette or ''Russ,'' as we knew him.

Russ was a dedicated Floridian with an extensive record of achievements. He held titles from Senior Vice President to Board Chairman for many state and national organizations and had an extensive record of work in causes as diverse as expanding educational opportunity, improving access to health care, helping minority men and women advance professionally, and strengthening the nonprofit community.

He was well known throughout Florida and Washington, D.C. for his commitment to these causes and to many colleges, universities, and other entities dedicated to the creation of opportunities for young people. He was especially recognized for his 24-year-long service to the University of Miami, for which he secured hundreds of millions of dollars of federal support for medical research, most notably for cancer, diabetes, and nursing, as well as cutting edge environmental health and marine sciences research and the University's internationally recognized North-South Center.

I knew Russ best, however, for his work to advance diversity and minority education and training. He stood for the development of educational opportunities for all, with particularly minority-serving historically black colleges and universities.

Russ was a generous and caring leader in philanthropy, having directed the University of Miami Foundation and the Blue Cross and Blue Shield of Florida Foundation, through which he was able to award millions of dollars to education, health access, and training initiatives. He played a major role in helping shape health policy at the local, state, and federal level.

He was committed to his home state of Florida and played a leading role rebuilding after Hurricane Andrew. His pride in his talented daughter and his two grandchildren, Lauren and Richard, was unbounded.

Mr. Speaker, Russ Jollivette was a trusted, respected, true friend and loved by family, friends, and whomever he came into contact. I ask the House to join me in celebrating this life well lived.

PERSONAL EXPLANATION

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mrs. BROOKS of Indiana. Mr. Speaker, on Monday, May 7, 2018, I missed votes because I was attending an event in my district. Had I been present, I would have voted YEA on roll call votes no. 167 and 168.

IN HONOR OF THE 150TH ANNIVERSARY OF ST. MARK'S EPISCOPAL CHURCH IN CHEYENNE, WYOMING

HON. LIZ CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Ms. CHENEY. Mr. Speaker, I rise today to congratulate the congregation of St. Mark's Episcopal Church on celebrating the church's 150th anniversary.

For years, St. Mark's has provided the Cheyenne, Wyoming community with a place to worship, meet, and serve the community. From their outreach activities to their strong education program, St. Mark's congregation has had a significant impact on the community, as well as others around the country and world. I thank them for their dedication to faith, to each other, and to helping those in need.

Again, Mr. Speaker, I would like to congratulate St. Mark's Episcopal Church's congregation on celebrating its 150th anniversary. Members of the church have long served the community, and I thank them for continuing that tradition. I wish them all the best in future endeavors.

CHRIS JORDAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chris Jordan for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Chris Jordan is a student at Arvada West High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Chris Jordan is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Chris Jordan for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING FATHER BARRY WINDHOLTZ

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. WENSTRUP. Mr. Speaker, I rise today to honor the Reverend Barry Windholtz.

Father Barry, raised and educated in Cincinnati, has served the Catholic Church for nearly thirty years. He has tirelessly served the Cincinnati community, both from the pulpit and beyond. He is known throughout the Cincinnati area for fostering vibrant parishes from his roles as Associate Pastor at St. Louis Church, Rector of St. Peter in Chains, to his current role as Pastor of St. Rose Church.

Father Barry also serves on the Advisory Boards of St. Vincent de Paul Cincinnati and Pregnancy Center East, where he advocates for the voiceless and those in need of loving support.

Cincinnati is a stronger community because of Father Barry.

Mr. Speaker, I hope you'll join me in thanking and honoring Father Barry Windholtz for his years of service to the people of Cincinnati.

HONORING ANGELA CHRISTENA JONES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Ms. Angela Christena Jones who was born May 6, 1976, the third of four children to Robert B. Chambliss and Martha Doris Jones. Angela was a faithful member of Fairfield Missionary Baptist Church where she served in the Gospel Choir.

Angela was an honor student while attending Jackson Public Schools and a proud graduate of Wingfield High Schools, Class of 1994. Angela served as salutatorian of her graduating class. After high school, Angela attended the University of Southern Mississippi and earned a Bachelor of Science Degree in Business Administration-Marketing Management (1998) and a Master of Science Degree in Business Technology Education (1999). Furthering her love and passion for education, she later enrolled at Jackson State University and earned a Master of Science Degree in Education Administration and Supervision (2002).

She served in many capacities to include the most current, Executive Director for Curriculum and Instruction for High Schools with Canton Public Schools. Angela was not only a life-long educator, but she honed her craft and skills by affiliating with professional organizations that promote self-development, service to mankind, and spiritual growth that enlightened, inspired and empowered all. Some of her fond memories will be remembered by her sorors of the Jackson (MS) Alumnae Chapter of Delta Sigma Theta Sorority, Inc.; her sisters of the Metro Jackson Section of the National Council of Negro Women; National Coalition of 100 Black Women Inc.; friends of Jackson State University Alumni Association and University of Southern Mississippi Alumni Association; Mississippi of School Superintendents (MASS).

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Angela Christena Jones for her dedication to serving.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2533–S2556

Measures Introduced: Seven bills were introduced, as follows: S. 2798–2804. **Page S2552**

Measures Reported:

S. Res. 355, improving procedures for the consideration of nominations in the Senate, with amendments. **Page S2552**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to the Atomic Energy Act of 1954, the text of an Agreement between the Government of the United States of America and the Government of the United Mexican States for Cooperation in Peaceful Uses of Nuclear Energy; which was referred to the Committee on Foreign Relations. (PM–34) **Page S2548**

Transmitting, pursuant to law, the report of 38 rescissions of budget authority; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; which was referred to the Committees on Appropriations; the Budget; Agriculture, Nutrition, and Forestry; Environment and Public Works; Energy and Natural Resources; Finance; Health, Education, Labor, and Pensions; Banking, Housing, and Urban Affairs; the Judiciary; Foreign Relations; and Commerce, Science, and Transportation. (PM–35) **Pages S2548–49**

Engelhardt Nomination—Agreement: Senate continued consideration of the nomination of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit. **Page S2533**

A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, the post-cloture time on the nomination expire at 12 noon, on Wednesday, May 9, 2018; and that Senate vote on confirmation of the nomination with no intervening action or debate. **Page S2546**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Wednesday, May 9, 2018. **Page S2546**

Lowry Nomination—Agreement: A unanimous-consent agreement was reached providing that the nomination of John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans' Employment and Training, be referred jointly to the Committee on Health, Education, Labor, and Pensions and the Committee on Veterans' Affairs. **Page S2546**

Messages from the House: **Page S2549**

Measures Referred: **Page S2549**

Measures Placed on the Calendar: **Pages S2549, S2554**

Executive Communications: **Pages S2549–52**

Additional Cosponsors: **Pages S2552–54**

Statements on Introduced Bills/Resolutions:

Additional Statements: **Pages S2547–48**

Authorities for Committees to Meet: **Page S2554**

Privileges of the Floor: **Page S2554**

Adjournment: Senate convened at 2:30 p.m. and adjourned at 6:38 p.m., until 10 a.m. on Wednesday, May 9, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2554.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Department of Homeland Security concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Homeland Security, after receiving testimony from Kirstjen Nielsen, Secretary of Homeland Security.

APPROPRIATIONS: LIBRARY OF CONGRESS AND ARCHITECT OF THE CAPITOL

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Library of Congress and the Architect of the Capitol, after receiving testimony from

Carla D. Hayden, Librarian of Congress; and Stephen T. Ayers, Architect of the Capitol.

NIGER INVESTIGATION AND REPORT

Committee on Armed Services: Committee received a closed briefing on the Niger investigation and report from Owen O. West, Assistant Secretary for Special Operations and Low-Intensity Conflict, Robert S. Karem, Assistant Secretary for International Security Affairs, and General Thomas D. Waldhauser, USMC, Commander, and Major General Roger L. Cloutier, Jr., USA, Chief of Staff, both of United States Africa Command, all of the Department of Defense.

UNMANNED AIRCRAFT SYSTEMS

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security concluded a hearing to examine an update on the safe integration of unmanned aircraft systems into the airspace, after receiving testimony from Earl Lawrence, Director, Unmanned Aircraft Systems Integration Office, Federal Aviation Administration, Department of Transportation; Brian Wynne, Association for Unmanned Vehicle Systems International, Arlington, Virginia; Matt Zuccaro, Helicopter Association International, Alexandria, Virginia; and Todd Graetz, BNSF Railway Company, Fort Worth, Texas.

PUERTO RICO'S ELECTRIC GRID

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine the current status of Puerto Rico's electric grid and proposals for the future operation of the grid, after receiving testimony from Bruce J. Walker, Assistant Secretary of Energy, Office of Electricity Delivery and Energy Reliability; Charles R. Alexander, Jr., Director, Contingency Operations and Homeland Security, Army Corps of Engineers, Department of Defense; Christian Sobrino Vega, President, Government Development Bank, and Chairman of the Board, Fiscal Agency and Financial Authority, Government of Puerto Rico; Walter M. Higgins, Puerto Rico Electric Power Authority, and Jose H. Roman Morales, Comision de Energia de Puerto Rico, both of San Juan; and Rodrigo Masses, Puerto Rico Manufacturers Association, Guaynabo.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

INSULIN ACCESS AND AFFORDABILITY

Special Committee on Aging: Committee concluded a hearing to examine insulin access and affordability, focusing on the rising cost of treatment, after receiving testimony from William T. Cefalu, American Diabetes Association, Arlington, Virginia; Jeremy A. Greene, Johns Hopkins University, Baltimore, Maryland; Paul Grant, New Gloucester, Maine; and Lois Ondik, Blandon, Pennsylvania.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 5697–5713; and 7 resolutions, H. Con. Res. 120; and H. Res. 876–878, 880–882 were introduced. **Pages H3833–34**

Additional Cosponsors: **Pages H3834–35**

Report Filed: A report was filed today as follows:

H. Res. 879, providing for consideration of the bill (H.R. 3053) to amend the Nuclear Waste Policy Act of 1982, and for other purposes (H. Rept. 115–665). **Pages H3825, H3833**

Speaker: Read a letter from the Speaker wherein he appointed Representative Marshall to act as Speaker pro tempore for today. **Page H3785**

Recess: The House recessed at 10:19 a.m. and reconvened at 12 noon. **Page H3787**

Moment of Silence: The House observed a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families. **Page H3787**

Administration of the Oath of Office to an Officer of the House: The Speaker administered the Oath of Office to Father Patrick J. Conroy of the State of Oregon, to exercise temporarily the duties of Chaplain of the House of Representatives, effective Friday, May 25, 2018. **Page H3787**

Member Resignation: Read a letter from Representative Dent, wherein he resigned as Representative for the Fifteenth Congressional District of Pennsylvania, effective at 11:59 p.m. on May 12, 2018. **Page H3797**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Small Business Development Center Cyber Training Act: H.R. 3170, to amend the Small Business Act to require cyber certification for small business development center counselors;

Pages H3797–H3800

Change Order Transparency for Federal Contractors Act: H.R. 4754, to amend the Small Business Act to provide prospective construction contractors with information about an agency's policies on the administration of change orders to allow such contractors to make informed business decisions regarding the pricing of bids or proposals;

Pages H3800–01

Women's Business Centers Improvements Act: H.R. 1680, amended, to amend the Small Business Act to improve the women's business center program; **Pages H3801–06**

Small Business Development Centers Improvement Act: H.R. 1702, amended, to amend the Small Business Act to improve the small business development centers program; **Pages H3806–08**

Spurring Business in Communities Act: H.R. 4111, to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States;

Pages H3808–10

Main Street Employee Ownership Act of 2018: H.R. 5236, amended, to expand opportunities available to employee-owned business concerns through Small Business Administration loan programs; and

Pages H3810–12

Small Business 7(a) Lending Oversight Reform Act of 2018: H.R. 4743, amended, to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration. **Pages H3812–15**

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act": The House passed S.J. Res. 57, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act", by a yea-and-nay vote of 234 yeas to 175 nays with one answering "present", Roll No. 171. **Pages H3815–23**

H. Res. 872, the rule providing for consideration of the bills (H.R. 5645) and (H.R. 2152) and the joint resolution (S.J. Res. 57) was agreed to by a recorded vote of 227 ayes to 181 noes, Roll No. 170, after the previous question was ordered by a yea-and-nay vote of 226 yeas to 177 nays, Roll No. 169.

Pages H3796–97

Privileged Resolution—Intent to Offer: Representative Crowley announced his intent to offer a privileged resolution. **Pages H3823–24**

Question of Privilege: Representative Crowley rose to a question of the privileges of the House and submitted a privileged resolution. Upon examination of the resolution, the Chair determined that the resolution qualified. Subsequently, the House agreed to the McCarthy motion to table H. Res. 878, raising a question of the privileges of the House, by a yea-and-nay vote of 223 yeas to 182 nays, Roll No. 172.

Page H3824

Presidential Messages: Read a message from the President wherein he transmitted the text of a proposed Agreement for Cooperation between the Government of the United States of America and the Government of the United Mexican States Concerning Peaceful Uses of Nuclear Energy, as well as his written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement concerning the Agreement—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 115–116). **Page H3795**

Read a message from the President wherein he transmitted proposed rescissions of budget authority—referred to the Committee on Appropriations and ordered to be printed (H. Doc. 115–117).

Page H3832

Quorum Calls Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H3796, H3796–97, H3822–23, H3824. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:26 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Appropriations: Full Committee held a markup on the FY 2019 Military Construction, Veterans Affairs, and Related Agencies Appropriations Bill; and the FY 2019 Legislative Branch Appropriations Bill. The FY 2019 Military Construction, Veterans Affairs, and Related Agencies Appropriations Bill and the FY 2019 Legislative Branch Appropriations Bill were ordered reported, as amended.

THE OPIOID EPIDEMIC: IMPLICATIONS FOR THE FEDERAL EMPLOYEES' COMPENSATION ACT

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled ''The Opioid Epidemic: Implications for the Federal Employees' Compensation Act''. Testimony was heard from Scott S. Dahl, Inspector General, Department of Labor; Scott D. Szymendera, Acting Section Research Manager, Congressional Research Service, Library of Congress; and public witnesses.

COMBATING THE OPIOID EPIDEMIC: EXAMINING CONCERNS ABOUT DISTRIBUTION AND DIVERSION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Combating the Opioid Epidemic: Examining Concerns About Distribution and Diversion''. Testimony was heard from public witnesses.

SHARING THE ROAD: POLICY IMPLICATIONS OF ELECTRIC AND CONVENTIONAL VEHICLES IN THE YEARS AHEAD

Committee on Energy and Commerce: Subcommittee on Environment held a hearing entitled ''Sharing the Road: Policy Implications of Electric and Conventional Vehicles in the Years Ahead''. Testimony was heard from public witnesses.

IMPROVING THE COORDINATION AND QUALITY OF SUBSTANCE USE DISORDER TREATMENT

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Improving the Coordination and Quality of Substance Use Disorder Treatment''. Testimony was heard from Representative Blumenauer; and public witnesses.

CONFRONTING THE IRANIAN CHALLENGE

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Confronting the Iranian Challenge''. Testimony was heard from public witnesses.

CHALLENGES AND SOLUTIONS IN THE OPIOID ABUSE CRISIS

Committee on the Judiciary: Full Committee held a hearing entitled ''Challenges and Solutions in the Opioid Abuse Crisis''. Testimony was heard from Robert Patterson, Acting Administrator, Drug Enforcement Administration; J. Spencer Morgan III, Commonwealth's Attorney, Accomack County, Virginia; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on H.R. 221, the ''Hydrographic Services Improvement Amendments Act''; H.R. 1791, the ''Mountains to Sound Greenway National Heritage Act''; H.R. 2591, the ''Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act of 2017''; H.R. 3535, the ''Ruffey Rancheria Restoration Act of 2017''; H.R. 4032, the ''Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act''; H.R. 4506, the ''Jobs for Tribes Act''; H.R. 4689, to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska; H.R. 5317, to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands; and H.R. 5655, the ''Camp Nelson Heritage National Monument Act''. H.R. 221, H.R. 1791, H.R. 2591, H.R. 3535, H.R. 4032, and H.R. 4506 were ordered reported, as amended. H.R. 4689, H.R. 5317, and H.R. 5655 were ordered reported, without amendment.

PROGRESS REPORT ON THE 2020 CENSUS

Committee on Oversight and Government Reform: Full Committee began a hearing entitled ''Progress Report on the 2020 Census''. Testimony was heard from Earl Comstock, Director, Office of Policy and Strategic Planning, Department of Commerce; Ron S. Jarmin, Acting Director, Census Bureau; David A. Powner, Director of Information Technology Management Issues, Government Accountability Office; Robert Goldenkoff, Director of Strategic Issues, Census Issues, Government Accountability Office; and a public witness.

NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2018

Committee on Rules: Full Committee held a hearing on H.R. 3053, the ''Nuclear Waste Policy Amendments Act of 2018''. The Committee granted, by record vote of 7–4, a structured rule providing for the consideration of H.R. 3053. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–69 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in the Rules Committee report.

Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Shimkus, Tonko, Amodei, Kaptur, Titus, Kihuen, and Rosen.

LEVERAGING BLOCKCHAIN TECHNOLOGY TO IMPROVE SUPPLY CHAIN MANAGEMENT AND COMBAT COUNTERFEIT GOODS

Committee on Science, Space, and Technology: Subcommittee on Oversight; and Subcommittee on Research and Technology held a joint hearing entitled ''Leveraging Blockchain Technology to Improve Supply Chain Management and Combat Counterfeit Goods''. Testimony was heard from Douglas Maughan, Cyber Security Division Director, Science and Technology Directorate, Department of Homeland Security; and public witnesses.

TRAVEL AND TOURISM: A SMALL BUSINESS ANGLE

Committee on Small Business: Subcommittee on Economic Growth, Tax, and Capital Access held a hearing entitled ''Travel and Tourism: A Small Business Angle''. Testimony was heard from public witnesses.

BLUE TECHNOLOGIES: USE OF NEW MARITIME TECHNOLOGIES TO IMPROVE EFFICIENCY AND MISSION PERFORMANCE

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''Blue Technologies: Use of New Maritime Technologies to Improve Efficiency and Mission Performance''. Testimony was heard from Rear Admiral Michael Haycock, Assistant Commandant for Acquisition and Chief Acquisition Officer, U.S. Coast Guard; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Full Committee held a business meeting on subcommittee assignments; and a markup on H.R. 299, the ''Blue Water Navy Vietnam Veterans Act of 2017''; H.R. 5674, the ''Department of Veterans Affairs Maintaining Internal Systems and Strengthening Integrated Outside Networks Act''; H.R. 1972, the ''VA Billing Accountability Act''; H.R. 2147, the ''Veterans Treatment Court Improvement Act''; H.R. 3642, the ''Military Sexual Assault Victims Empowerment Act''; H.R. 3832, the ''Veterans Opioid Abuse Prevention Act''; H.R. 4635, to direct the secretary of Veterans Affairs to increase the number of peer-to-peer counselors providing counseling for women veterans; H.R. 5520, the ''Veterans Affairs Medicinal Cannabis Research Act of 2018''; H.R. 4245, the ''Veterans' Electronic Health Record Modernization Oversight Act of 2017''; HR 4334, the ''Improving Oversight of Women Veterans' Care Act of 2017''; H.R. 4451, the ''Homeless Veterans' Reintegration Programs Reauthorization Act of 2017''; H.R. 4830, the ''Servicemembers Improved Transition through Reforms for Ensuring Progress Act''; H.R. 4958, the ''Veterans Compensation Cost-of-Living Adjustment Act of 2018''; H.R. 5044, the ''Service-Disabled Veterans Small Business Continuation Act''; H.R. 5215, the ''Veterans Affairs Purchase Card Misuse Mitigation Act''; and H.R. 5418, the ''Veterans Affairs Medical-Surgical Purchasing Stabilization Act''. The committee resolution on subcommittee assignments was agreed to. H.R. 299, H.R. 1972, H.R. 2147, H.R. 3642, H.R. 3832, H.R. 4635, and H.R. 5520 were ordered reported, as amended. H.R. 5674, H.R. 4245, H.R. 4334, H.R. 4451, H.R. 4830, H.R. 4958, H.R. 5044, H.R. 5215, and H.R. 5418 were ordered reported, without amendment.

VA LOGISTICS MODERNIZATION: EXAMINING THE RTLS AND CATAMARAN PROJECTS

Committee on Veterans' Affairs: Subcommittee Oversight and Investigations held a hearing entitled ''VA Logistics Modernization: Examining the RTLS and Catamaran Projects''. Testimony was heard from Nicholas Dahl, Deputy Assistant Inspector General for Audits and Evaluations, Office of Inspector General, Department of Veterans Affairs; and Tammy Czarnecki, Assistant Deputy Under Secretary for Health for Administrative Operations, Veterans Health Administration, Department of Veterans Affairs.

THE CURRENT STATUS OF AND QUALITY IN THE MEDICARE ADVANTAGE PROGRAM

Committee on Ways and Means: Subcommittee on Health held a hearing entitled ''The Current Status of and Quality in the Medicare Advantage Program''. Testimony was heard from public witnesses.

Joint Meetings

UKRAINE

Commission on Security and Cooperation in Europe: Commission received a briefing on ending the war in Ukraine from Kurt Volker, Special Representative for Ukraine Negotiations, Department of State.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D484)*

H.R. 4300, to authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II. Signed on May 7, 2018. (Public Law 115–70)

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 9, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Defense, 10 a.m., SD–192.

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Veterans Affairs, 2:30 p.m., SD–124.

Committee on Energy and Natural Resources: Subcommittee on Public Lands, Forests, and Mining, to hold hearings to examine the law enforcement programs at the Bureau of Land Management and the Forest Service, coordination with other Federal, state, and local law enforcement, and the effects on rural communities, 10 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine an original bill entitled, ''America's Water Infrastructure Act of 2018'', 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Jonathan R. Cohen, of California, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Deputy Representative of the United States of America to the United Nations, Joseph Cella, of Michigan, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu, and David B. Cornstein, of New York, to be Ambassador to Hungary, all of the Department of State, Eliot Pedrosa, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank, and Jackie Wolcott, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, and to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, 10 a.m., SD–419.

Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy, to hold hearings to examine a multilateral and strategic response to international predatory economic practices, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Spending Oversight and Emergency Management, to hold an oversight hearing to examine United States spending in Afghanistan, 2:30 p.m., SD–342.

Committee on Indian Affairs: to hold hearings to examine the nomination of Tara Sweeney, of Alaska, to be an Assistant Secretary of the Interior, 4 p.m., SD–628.

Committee on the Judiciary: to hold hearings to examine the nominations of Ryan Wesley Bounds, of Oregon, to be United States Circuit Judge for the Ninth Circuit, J. Campbell Barker, and Jeremy D. Kernodle, both to be a United States District Judge for the Eastern District of Texas, Susan Brnovich, to be United States District Judge for the District of Arizona, Chad F. Kenney, to be United States District Judge for the Eastern District of Pennsylvania, and Maureen K. Ohlhausen, of Virginia, to be Judge of the United States Court of Federal Claims, 10 a.m., SD–226.

Select Committee on Intelligence: to hold hearings to examine the nomination of Gina Haspel, of Kentucky, to be Director of the Central Intelligence Agency; to be immediately followed by a closed session in SH–219, 9:30 a.m., SH–216.

House

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, hearing entitled ''American Indian/Alaska Native Public Witnesses'', 9 a.m., 2007 Rayburn.

Subcommittee on Defense, budget hearing entitled ''Member Day'', 10:30 a.m., H–140 Capitol.

Subcommittee on Interior, Environment, and Related Agencies, hearing entitled ''American Indian/Alaska Native Public Witnesses'', 1 p.m., 2007 Rayburn.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, markup on the FY 2019 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, 4 p.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, markup on the FY 2019 Commerce, Justice, Science, and Related Agencies Appropriations Bill, 5 p.m., 2362–B Rayburn.

Committee on Armed Services, Full Committee, markup on H.R. 5515, the ''National Defense Authorization Act for Fiscal Year 2019'', 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Higher Education and Workforce Development, hearing entitled ''Closing the Skills Gap: Private sector solutions for America's workforce'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Full Committee, markup on H.R. 4606, the ''Ensuring Small Scale LNG Certainty and Access Act''; H.R. 5174, the ''Energy Emergency Leadership Act''; H.R. 5175, the ''Pipeline and LNG Facility Cybersecurity Preparedness Act''; H.R.

5239, the ''Cyber Sense Act''; H.R. 5240, the ''Enhancing Grid Security through Public-Private Partnerships Act''; H.R. 4275, the ''Empowering Pharmacists in the Fight Against Opioid Abuse Act''; H.R. 5041, the ''Safe Disposal of Unused Medication Act''; H.R. 5202, the ''Ensuring Patient Access to Substance Use Disorder Treatments Act of 2018''; H.R. 5483, the ''Special Registration for Telemedicine Clarification Act of 2018''; H.R. 449, the ''Synthetic Drug Awareness Act of 2017''; H.R. 4284, the ''INFO Act of 2017''; H.R. 5002, the ''ACE Research Act''; H.R. 5009, the ''Jessie's Law''; H.R. 5102, the ''Substance Use Disorder Workforce Loan Repayment Act of 2018''; H.R. 5176, the ''Preventing Overdoses While in Emergency Rooms Act of 2018''; H.R. 5197, the ''Alternatives to Opioids in the Emergency Department Act''; H.R. 5261, the ''TEACH to Combat Addiction Act of 2018''; H.R. 5272, the ''Reinforcing Evidence-Based Standards Under Law in Treating Substance Abuse Act of 2018''; H.R. 5327, the ''Comprehensive Opioid Recovery Centers Act 2018''; H.R. 5353, the ''Eliminating Opioid-Related Infectious Diseases Act of 2018''; H.R. 3331, to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology; H.R. 5685, the ''Medicare Opioid Safety Education Act''; H.R. 5603, the ''Access to Telehealth Services for Opioid Use Disorders''; H.R. 3528, the ''Every Prescription Conveyed Securely Act''; H.R. 4841, the ''Standardizing Electronic Prior Authorization for Safe Prescribing Act of 2018''; H.R. 5675, to amend title XVIII of the Social Security Act to require prescription drug plan sponsors under the Medicare program to establish drug management programs for at-risk beneficiaries; H.R. 5686, the ''Medicare Clear Health Options in Care for Enrollees (CHOICE) Act''; H.R. 5582, the ''Abuse Deterrent Access Act of 2018''; H.R. 5684, the ''Protecting Seniors from Opioid Abuse Act''; H.R. 5333, the ''Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018''; H.R. 5473, the ''Better Pain Management Through Better Data Act of 2018''; H.R. 5554, the ''Animal Drug and Animal Generic Drug User Fee Amendments of 2018''; and H.R. 5687, the ''Securing Opioids and Unused Narcotics with Deliberate Disposal and Packaging Act of 2018'', 9 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on H.R. 5105, the ''BUILD Act of 2018''; H.R. 5141, the ''United States-Israel Security Assistance Authorization Act of 2018''; H.R. 5433, the ''Hack Your State Department Act''; H.R. 5535, the ''Energy Diplomacy Act of 2018''; H.R. 5677, the ''International Security Assistance Act of 2018''; and H.R. 5681, the ''Global Engagement Center Authorities Act of 2018'', 10 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Protecting Civil Society, Faith-Based Actors, and Political Speech in Sub-Saharan Africa'', 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, Full Committee, markup on H.R. 5682, the ''FIRST STEP Act''; and H.R. 5698, the ''Protect and Serve Act of 2018'', 10 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Healthcare, Benefits and Administrative Rules; and Subcommittee on Intergovernmental Affairs, joint hearing entitled ''Program Integrity for the Supplemental Nutrition Assistance Program'', 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2019'', 9 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Ready, Willing, and Able to Work: How Small Businesses Empower People with Developmental Disabilities'', 11 a.m., 2360 Rayburn.

Committee on Ways and Means, Subcommittee on Human Resources, hearing entitled ''Jobs and Opportunity: Legislative Options to Address the Jobs Gap'', 10 a.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: to receive a briefing on the state of elections and fundamental freedoms in Azerbaijan, 10:30 a.m., SVC–215.

Full Committee, to receive a briefing on the murder of investigative journalists, 3:30 p.m., SVC–215.

Next Meeting of the SENATE

10 a.m., Wednesday, May 9

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, post-cloture, and vote on confirmation of the nomination at 12 noon.

Following disposition of the Engelhardt nomination, Senate will vote on the motion to invoke cloture on the nomination of Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 9

House Chamber

Program for Wednesday: Begin consideration of H.R. 3053—Nuclear Waste Policy Amendments Act of 2018 (Subject to a Rule). Consideration of H.R. 5645—Standard Merger and Acquisition Reviews Through Equal Rules Act of 2018 and H.R. 2152—Citizens' Right to Know Act.

Extensions of Remarks, as inserted in this issue

HOUSE

Brady, Kevin, Tex., E600
Brooks, Susan W., Ind., E600, E606
Cheney, Liz, Wyo., E599, E603, E606
Clark, Katherine M., Mass., E600
Clyburn, James E., S.C., E606
Comstock, Barbara, Va., E602
Crowley, Joseph, N.Y., E604
Delaney, John K., Md., E605
Deutch, Theodore E., Fla., E601
Esty, Elizabeth H., Conn., E599
Gonzalez, Vicente, Tex., E603
Gosar, Paul, Ariz., E603
Gutiérrez, Luis V., Ill., E601
Jenkins, Evan H., W.Va., E601
Lawson, Al, Jr., Fla., E603
Levin, Sander M., Mich., E604
McCollum, Betty, Minn., E602
Moore, Gwen, Wisc., E605
Perlmutter, Ed, Colo., E599, E600, E601, E601, E602, E603, E604, E605, E606, E606
Ryan, Paul D., Wisc., E599
Sablan, Gregorio Kilili Camacho, Northern Mariana Islands, E606
Thompson, Bennie G., Miss., E599, E600, E601, E604, E605, E607
Thompson, Mike, Calif., E602
Tonko, Paul, N.Y., E606
Wenstrup, Brad R., Ohio, E607
Wittman, Robert J., Va., E601

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